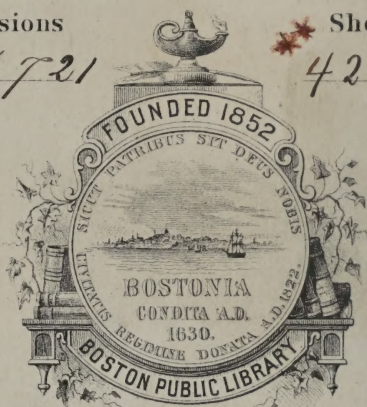


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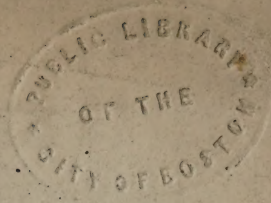
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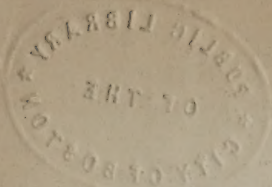
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SOUTH CAROLINA.

VOLUME II.



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DANIEL H. CHAMBERLAIN—THE STATE AT LARGE.

COLUMBIA, S. C., *January 12, 1877.*

DANIEL H. CHAMBERLAIN sworn and examined.

By Mr. MERRIMON:

Question. What official position do you now occupy?—Answer. I am governor of the State of South Carolina.

Q. When did you come to the State of South Carolina?—A. In December, 1865.

Q. You may, if you please, give a brief account of yourself since you came to the State, as connected with the public affairs of the State, up to the time that you were elected governor.—A. I was engaged in private business entirely from the time I came to the State, in December, 1865, until January, 1868, except that in the fall of 1867 I paid a little attention to the matter of the first registration of voters, &c., in the vicinity where I lived, and in that election I was chosen as a member of the constitutional convention. I took my seat in the convention in January, 1868. I served there for something like two months, and at the close of the sittings of that convention I was nominated by the republican party as candidate for attorney-general, and was elected in April, 1868, and entered upon my duties in July of the same year, when the new government was organized. I held that office for four years from the following November. From that time, 1872 to 1874, I was out of office entirely; had no connection with public affairs in any way. In the fall of 1874 I was nominated by the republican party for governor, and was elected in that election, and entered upon my office as governor on the first day of December, 1874.

Mr. CAMERON. The committee have allowed Mr. Haskell, the chairman of the State democratic executive committee, to state, without regard to technical rules, the democratic side of the so-called South Carolina question. We regard him as a representative democrat, and he is so regarded by his own party. You, as a representative republican, may go on and state the republican side of the so-called South Carolina question.

Mr. MERRIMON. You will understand, Mr. Chamberlain, that this embraces only the late canvass. The committee have strenuously refused to go into the merits or demerits of the administration of the government in the State. I protest against going into any question outside of the late campaign, and if you allow the witness to go on and give the republican side of the administration of the government of this State, I shall consider it unfair and unjust.

Mr. CAMERON. You may go on and give a general history of your administration from 1874 to 1876.—A. I was nominated and elected in 1874 as the candidate, as I understood it, of that portion of the republican party who were disposed more strenuously than others to give the State a good home administration. There had been complaints made, and some of them that were very just, against previous administrations under the republican party, and I was elected upon pledges, personal

and party, that we would make all possible efforts to give the State a good government. I was very bitterly opposed in the campaign by some republicans, and by the democratic party, on the ground that I was not a sufficiently firm and determined reformer, as I was called. But I was elected, and I delivered an inaugural address in which I set forth what my purposes and plans were, and it met the approval of those who had opposed me, and I entered upon my work; and, I may say, generally, that my course through the two years of my administration was such as to command the approval of the entire people of the State, so far as practical matters were concerned. I do not mean to say that politically I was sustained by everybody, but that the practical details of my administration were such that there was very little fault to find with me, even here in South Carolina, where the distinctions of party are wider and deeper than they are in some other places.

The tendency during my administration was to unite a certain part of the democratic party and a certain part of the republican party in an effort to bring about a continuance of good government for South Carolina, without reference to the dissent of parties upon national questions; without regard to republican or democratic names. There was a very strong tendency in that direction, and in the beginning of last year, in the spring and early summer of 1876, the question that was presented to the people of this State was whether they would divide upon the line of democrats and republicans, or whether they would unite the better men of both parties, and leave national and party politics out of the question of the State government.

My name was connected with the movement, and I was generally spoken of, I suppose, as a matter of fact, as the person who, if that plan had succeeded, would have been offered, at least, the nomination and support of those who took that view.

Q. I would ask you right there, governor, have you received indorsements pretty generally from the democracy of the State?—A. O, yes, sir; I could furnish you volumes of indorsements from the democracy of the State, and I have here some specimens of them, slips from papers, which were published from time to time. Here is a copy of the Union Herald, of this State, which contains specimens of them, a small fraction of the number which I received. [See Documentary Evidence, vol. 3, Part X, i.]

By Mr. MERRIMON:

Q. Are those merely sketches of the proceedings of meetings, or are they all the proceedings?—A. No, sir; they are significant passages from much longer articles of the same tenor.

Q. Could you not furnish us with the papers that contain the proceedings and editorials to which they refer?—A. I have in my private scrap-book the full articles from which those are selected. I could not furnish you with the original papers, the files.

Mr. MERRIMON. It is not fair or just to submit these; they are mere excerpts.

The WITNESS. If it were desirable I could submit to the committee my scrap-book, which contains the whole of them.

Mr. MERRIMON. I have no objection to your putting in the whole articles, but I think it is not proper to put in the extracts from them. I object to this copy of the Union Herald as part of the testimony.

Mr. CAMERON. The governor will furnish his scrap-book and the committee will select such of them as they think proper.

The WITNESS. These extracts in the Union Herald, while all the sur-

roundings are not presented there, are fair samples. The practical working of my administration was also stated in the public papers, and especially in the Charleston News and Courier, and I have here an article published July 11, 1876, in the News and Courier, in which are detailed the practical results of my administration of the State government as they chose to state them, item by item. [A. See Documentary Evidence, vol. 3, Part X, ii.]

By Mr. MERRIMON :

Q. Is that an editorial in that paper?—A. That is an editorial.

Mr. MERRIMON. I object to its being inserted in the testimony.

Mr. CAMERON, [to the witness.] You can proceed.

The WITNESS. The people of the State became divided to some extent upon that theory early in the beginning of last year, and the two parties took the name, so far as the State was concerned, of the "straight-outs" and the "conservatives"—sometimes called, by an old South Carolinian name, the "co-operation policy." The straight-out party insisted upon nominating democratic candidates and inaugurating a strictly party campaign, and the conservatives approved of the policy which I have indicated, and were in favor of nominating somebody who would represent good home government without reference to his feelings in national politics. The democratic party held a convention here in May, 1876, and in that convention the question was presented.

By Mr. MERRIMON :

Q. Was that a State democratic convention?—A. That was a State democratic convention. The primary object of it was to select delegates to the Saint Louis democratic national convention, but this question of the proper policy to be observed in State politics came up. There was no decisive action taken; they declined to commit themselves to the straight-out movement, and it was understood in that convention that the prevailing sentiment of the convention was in favor of the other policy, the conservative policy, which I think at that time there is very little doubt the majority of the democratic party in the State were in favor of.

Then came influences, the approach of the national conventions, the stirring up of political feeling upon both sides, and I think it had a tendency to make such a policy—the policy of co-operation or the conservative policy—impracticable; and we come down then to July. Early in July there was an event happened which has had probably great influence upon party politics and upon the constitution of political parties here since, and that is what I call the Hamburg massacre, which occurred on the 8th of July. That, however intended or from whatever immediate cause it arose—there is, of course, a dispute about that, as well as about the individuals who were responsible for it; but there can be no doubt that its effect was very considerable upon the politics of the State, and tended to make the conservative policy which I have spoken of still less practicable. That event, I believe, has been very fully described to you. After I had learned, as I believe, the essential facts of the case, I spoke officially and publicly with reference to it in letters. I had no occasion to speak orally in public, but in various official communications I characterized it as brutal murder. I have never charged it upon any individual. I have been charged with holding individuals responsible for it. That is a thing that I have never done, however much I might have been tempted to do it, and thoroughly as I might be convinced as to who the individuals were who were respon-

sible. I did not consider, in advance of a judicial trial, that it was becoming in me as governor to do more than characterize the event; that I did freely and fully, as I believed it to be. I have here, if the committee will allow me, some official documents in connection with the matter that I think it proper to submit in giving a history of these times, as well as for the information of the committee.

Q. Will you state what they are to the committee.—A. I will present them in this order: First, the official letter of the attorney-general of the State, who went, under my direction, to Hamburg to investigate the matter. [See Documentary Evidence vol. 3, Part X, iii.]

The next paper that I present is an official letter of mine addressed to Senator Robertson. [See Documentary Evidence vol. 3, Part X, iv.]

Then an official letter of mine to the President of the United States and the President's reply. [See Documentary Evidence, vol. 3, Part X, v, vi.]

Then a letter from the sheriff of Aiken County, in which Hamburg is situated, respecting the riot there, addressed to me officially, and also the verdict of the coroner's inquest. [See Documentary Evidence, vol. III, Part X, vi, viii.]

Here is also a statement of the affair as contained in the address of a colored convention, held in Columbia, to the people of the United States. [See Documentary Evidence, vol. 3, Part X, ix.]

Relating to a later stage of the Hamburg matter, but still connected with it, I present the letter of the attorney-general to me relative to his reasons for postponing the trials, or consenting to a postponement of the trials of the parties engaged in the Hamburg affair, at the September term of the court at Aiken. [See Documentary Evidence, vol. 3, Part X, x.]

Those papers, I think, cover the Hamburg matter so far as it is officially stated by me.

As I stated, the effect of the Hamburg massacre was to arouse a very strong feeling, which took the line, to some extent, of white and colored. It was, in point of fact, the killing of a number of colored men by white men; it was also the killing of a number of republicans by democrats; and it had naturally, and in point of fact, a very great effect upon the relations of parties here; but, perhaps more than anything else, the anxiety that I felt in denouncing the Hamburg affair led gradually to a very different feeling on the part of the people of the State as to my approval. The publications which I made respecting the Hamburg affair were regarded by some portion of the people of the State as reflecting upon the people of the State generally, and had a political effect.

The democratic party held their State convention in August—I do not remember the exact date—and by that time (owing to two causes I should say; first, the approach of the national contest, which called out party feeling, but more especially to the influence of the Hamburg affair) the conservative policy had lost ground, and when that convention met in August it was found that those in favor of the conservative policy were in the minority.

The conservative policy, though, still had a strong minority in that convention. I think, upon one or two test questions which arose in that convention, the vote was about sixty in favor of the conservative policy and about eighty in favor of the straight-out party; but the action of the convention resulted in the nomination of General Wade Hampton and a full democratic ticket, and no effort at co-operation, but a straight democratic movement. Of course that ended, then, all

disposition there might have been among republicans to sacrifice somewhat of party feeling for the sake of the government of the State, and made no course possible except the nomination of a straight republican ticket. The republican convention met on the 10th of September, and at that convention I was renominated for governor, and a full republican ticket was nominated along with me. Thus the canvass was opened with General Wade Hampton as the candidate of the democratic party with a full democratic ticket behind him, and myself as the candidate of the republican party with a republican ticket associated with me.

In order to describe the campaign in its early developments before the Hamburg affair, I will mention that during the months of July and August I made a canvass of the State in the interest of the movement of which I have spoken. I was very much in favor of a movement that should subordinate party politics, so far as the government of South Carolina was concerned, to good government, and in the division of parties here I thought it would be necessary that both parties should have some share in the government of the State; and while I was always a republican, and a radical republican, and am still, yet I looked upon the government of South Carolina as something that should be conducted upon a less partisan basis than we would act upon in other States; and I made a canvass during the months of July and August in the State, a sort of personal canvass, speaking in behalf of good government, and in favor of such action on the part of my own party as would bring that about. It was during this canvass that I came to know the spirit of the opposition and the mode proposed of conducting the campaign on the part of the democrats.

I think it was on the 12th of August that I went to Edgefield Court-House to attend a meeting called at my instance by the republicans and arranged for by the republicans, and that was a very notable occasion. Doubtless the committee have heard a great deal about it, and I need not describe it in detail. The public meeting was practically broken up and prevented. There was nothing like free speech allowed by the democrats who were assembled there. The demonstration was so overawing and threatening in size and so brutal and determined in its character as to make it a practical denial of free speech; and although, as I have stated, the meeting was called by republicans and the platform erected by republicans and no invitation extended to any other party to take any part in it, yet the white people, led by General Gary and General Butler, did take possession of it and did practically deny free speech. I was myself abused and insulted, from the moment I arrived at Edgefield Court-House until I left the town, in a manner that would surpass the belief of one who had not become familiar with the same course of treatment in this State. I hardly think there are any other States that would furnish an experience that would cause a man to lose his surprise at knowing what occurred that day in Edgefield. I do not know that it is necessary to undertake to give the language, but it was in all respects as opprobrious on the part of General Gary, for instance, as he could find language in which to express himself. He was not content with attacking me as a public man, or as a politician, but he descended to very low personalities.

As I said, the meeting was taken possession of by the white people who were armed. So far as I observed, every white man on the ground was armed with from one to three or five pistols. They surrounded the stand, crowded upon it, and broke it down, and climbed into trees over our heads, and during the time I was attempting to speak (about

half an hour) I was frequently interrupted with remarks which were intended simply as insults to me.

At that time I saw also the organization that has since become well known under the name of rifle-club, of which the committee must have heard something; organizations of a military appearance, and of military conduct, mounted, marching under officers who were recognized and obeyed as military officers, and who issued military commands. They appeared on that day in numbers, I should judge, ranging from six to eight hundred, perhaps more. They came into town in military array. I saw there were a number of these clubs. They took particular pains to pass in front of the hotel where I was stopping, to convey whatever insults they could to me, knowing that I was lodged at that house. They were marshalled and taken command of at the court-house square, and proceeded from there to the grove in advance of my going there with the greater part of the republican audience; they maintained their attitude, and the exhibition of armed force throughout the day, and left the town, some of them, about the time I did, still marching in military order, recognizing their officers; and carrying their weapons in their hands, in many instances, as they marched out of town, and as they marched about the town.

I subsequently, during the same month, and a few days after, went to Newberry Court-House and had a similar experience, perhaps not quite so violent as that at Edgefield. Soon after that I went to Abbeville Court House, and there, in some respects, my experience was equal to that in Edgefield. The array of rifle-clubs was greater. I think there were ten or twelve hundred of them mounted, armed, and marching, as I stated, in military order, and under the command of persons who were obeyed as officers. I speak now from personal observation. They came not only from Abbeville, but from the surrounding counties, and there were said to be about eighteen clubs there. Certainly there appeared, according to all our estimates, to be from ten to twelve hundred. They did not interfere so much with our speaking as they did at Edgefield Court-House; we were allowed to occupy the time that was agreed upon; but their demonstration had the same effect, and evidently had the same purpose, and that was the overawing and threatening of the republicans and the speakers generally. The speeches of Col. D. Wyatt Aiken and Colonel Cothran were calculated to intimidate the republicans, and lead them to think that there was danger to the republican leaders; that it would not be safe—

By Mr. MERRIMON:

Q. State what they said, governor.—A. I could hardly state all that.

Q. The substance of what they said?—A. They said that the white people had made up their mind to rule this country hereafter, and that we might as well understand that at once; and that we leaders, if any disturbance occurred, would be held personally responsible. They were very careful to repeat that on all occasions, and to announce that they were armed and prepared. Col. D. Wyatt Aiken, in the most inflammatory manner and style, declared that they were ready to assert their rights by war; and he added the well-known phrase, "War to the knife, and the knife to the hilt." That was one specific expression, and that was the tone of all of them. I cannot repeat them in detail, though I wish I could, because they would convey a more correct impression and a more graphic idea of the kind of speeches that were made.

I had the same experience in general at Midway, down in Barnwell County, a few days later, and the same again at Lancaster Court-House,

in another distant part of the State, bordering on North Carolina, where the rifle-clubs appeared in force and conducted themselves in the same general manner that I have described.

At Midway I think I encountered the most—next to General Gary's speech at Edgefield, certainly, I think that in sheer brutality, unmixed and unrelieved by anything like wit or sense, the most brutal speech that I ever listened to, from one D. G. Tillman, then, or afterwards, a candidate for Congress on the democratic ticket from that district. The speeches on all these occasions, as I stated before, were of the same general character, but I mention this as an exceptionally vicious and indecent speech. There was another feature connected with these meetings that I want to speak of, aside from what I have already mentioned. It was the policy of demanding a division of time at meetings called by republicans to discuss the political affairs of the country, and to defend republican principles and policy. The democrats came there and insisted that they had equal rights with the republicans. It is an incredibly impudent claim.

By Mr. CHRISTIANCY :

Q. They demanded equal rights at the meetings?—A. They demanded equal rights at the meetings. They came upon the platform, and they practically enforced their demand of equal rights with us at those meetings, without any leave or license, as at Edgefield, where they took possession of the meeting, and General Butler and General Gary both addressed the audience before the republicans, who had called the meeting, were at all recognized; and General Gary announced that they had come there to be heard, and they were going to be heard; if there was any trouble in consequence of the enforcement of the demand to be heard, that he wanted it to be understood that the responsibility would be with the republicans, and the republican leaders, intimating that if there should be trouble and bloodshed, the leaders would be killed or injured first. Well, that was division of time, a thing that I had never heard of before, and that I regarded as the height of impudence and injustice; but as the republicans were not armed, and were not prepared for physical collision with these people, this demand was yielded to at those four meetings that I have spoken of. I yielded to them simply because I was not willing to take the responsibility of a massacre. We would not have yielded to them if it had not been that the lives of a great many innocent persons would doubtless have been sacrificed if we had made the offer to assert our rights. The democrats insisted upon having half the time, and usually occupied more than half the time. At the meetings which I attended democratic speakers were always listened to with patience and silence.

Q. Not interrupted by republicans?—A. Not interrupted at all; I never heard a discourteous word spoken by a republican speaker of a democrat who was present, or an offensive word of any kind; while I never attended one of those meetings that the republicans were not covered with the most violent abuse. There were, of course, exceptions among the democratic speakers. I will mention that General McGowan, at the Edgefield meeting, made a fair democratic argument, and it was a very notable exception. The rest of the speeches were violent, personal, abusive, and calculated to stir up the bad feeling of the people and to alarm the colored people. There was at these meetings also the presence of armed bodies of men, called "rifle-clubs," and they were generally overawing at these gatherings of republicans; and that, with this enforcement of the impudent and intolerable demand for a

division of time at the republican meetings, constituted the two chief features of the campaign, so far as it took the form at all of public discussion. The democrats made it a point to assemble their rifle-clubs and to have them present, and to march about the village uttering their cries, which are commonly called "rebel yells," and making all the demonstrations possible short of actual violence on these occasions, and intimidating and putting in fear the republicans. Then they forced themselves on the meetings as I have said, and took those occasions to make it so uncomfortable for the republican speakers as to induce them to abandon the canvass. So far as my observation went, the object of these features, which I have described, was to prevent a canvass by the republicans of the State.

By Mr. CAMERON :

Q. You have spoken of rifle-clubs ; now give the committee, as correctly as you can, a statement of the number, character, objects, and organization of those rifle-clubs.—A. Some of the rifle-clubs that existed during the late campaign had existed for some time. They were professedly social, exclusively so, in their object, and were generally accepted as such by the people of the State, so far as I know, and certainly so by myself ; but they constituted comparatively few. Some of them had received charters of incorporation, and they had, therefore, some legal organization and basis ; but the majority of them, by far the larger part of them, were organized and used—I cannot give the motives of the men, and can only speak, of course, of what occurred ; they were used for political purposes in the late campaign ; they were used as a basis of organization, if I may so speak : the rifle-club appeared to be the unit of organization. The number of rifle-clubs in the county ordinarily measured the effective democratic organization of that county, as far as I could learn, and they extended all over the State. I think there was no county in which there were not a good many of them. As I said before, they had every form of a military organization ; they had their officers who were addressed as captains and lieutenants and sergeants and corporals. I myself heard all those addresses used, and commands given by using those military terms. As I have said, they extended over the State, and it became my official business to ascertain, as far as I could, the extent of those organizations ; and I have here, taken from the official records of my own office, a statement, by counties, of the clubs that were known to be organized, the place of their location within the counties, and the names of the commanding officers of the clubs. I think they number, in this official document, about three hundred, and the information or statement covers all but two or three counties of the State. [See Documentary Evidence, vol. 3, Part X, xi.]

By Mr. MERRIMON :

Q. How did you get the data that you now submit ?—A. I got it from statements of various persons who had means of information in the counties, to whom I wrote.

Q. Who were they ? We want to get their character, and whether they had any authority, and whether it amounts to any official data at all.—A. The documents from which those statements are taken were sent to me by various persons in the counties in reply to official requests, and addressed to me officially.

Q. Are not the names put down there ?—A. No, sir ; the names are not given.

Q. Were they officers of the law ?—A. Yes, sir ; generally.

Q. Was the information they got obtained upon notification to persons whom you were proceeding against in any way?—A. No, sir.

Q. They had no notice of it at all?—A. No, sir.

Q. They had no opportunity to make any defense, any explanation?—A. No, sir; it was a simple matter of information.

Q. The information you got was neither official nor was it sworn to?—A. No, sir; it is not sworn to.

Q. I will ask you, then, whether this information which you have received does not treat every democratic club in the State as a rifle-club?—A. No, sir; I do not think so.

Q. Do you mean to say that the document which you now offer to the committee represents rifle-clubs that were organized in the manner you have described, with captains and lieutenants and arms and ammunition?—A. Yes, sir.

Q. And that they marched and countermarched?—A. Certainly; that is the information that I received, and that is what I believe.

Mr. MERRIMON. We do not want your belief, sir. We are after facts.

Mr. CAMERON. Your statement agrees substantially with Colonel Haskell's as to the number. He said there were between three and four hundred.

The WITNESS. I have the original communications; but I may say to the committee that this information was obtained, I think, in a majority of cases, with the assurance that they who gave it should not have their names revealed, and, therefore, I have not given their names. The statement was compiled by myself from official communications to me. When I say official, I mean addressed to me as governor.

By Mr. MERRIMON:

Q. These are *ex-parte* statements made to you by persons who instituted a secret inquisition under your direction?—A. I don't know that I directed them to make a secret inquisition; I asked them to send me the information they got; whatever they could get.

Q. And, although you have their names, you are under pledge to keep them secret?—A. No, sir; I don't know that I am under any pledge, except what I think is the part of fairness and prudence towards them.

Q. Do you think it is the part of fairness and prudence to get this information and put it before this committee and the nation without notice to the other side?—A. The other side has had full opportunity to give their information.

Q. They have not had full opportunity for placing full information of that sort before the committee.—A. It is not my fault. I am going to give the information that I have, and if anybody else has information they can give it.

Mr. MERRIMON. I object to the reception of that paper.

Mr. CAMERON. The paper may go in for what it is worth.

Mr. CHRISTIANCY. The paper I do not suppose is evidence of the fact that it is correct in all particulars, but it is the information that the governor obtained and upon which he acted.

The WITNESS. I submit that as a part of the evidence, also, upon which I acted at a later day in calling upon the President for troops. In that document, that I have just handed to the committee, there is a copy of one paper that was sent to me from the county where it was printed, and I would like to call special attention to that. It purports to be issued from the council-rooms of the Colleton rifle-regiment, and it is an order by J. I. Fox, as colonel, signed by Robert Jones, as adjutant. It indicates regimental organization. That paper was brought

to me by the person who printed it; he stated that he printed it upon the—— [See Documentary Evidence, vol. 3, Part X, xi.]

Mr. MERRIMON. That is a clear case of hearsay. As to whether it is a forgery or whether it is gotten up for the occasion, we have no evidence. I object to the reception of that paper because it is not identified as a democratic paper at all. The witness puts it in upon hearsay, and a paper wholly unidentified is sought to be fixed with official sanction by allowing this witness to put it in as part of his testimony. I maintain that it is unfair and unjust; that it is not right.

Mr. CHRISTIANCY. If he states all he knows about it, all the circumstances, if it has no authenticity nobody will pay any attention to it.

Mr. CAMERON. You can proceed now, governor.

The WITNESS. After both of the conventions had made their nominations, the canvass, of course, opened, or rather it commenced on the part of the democratic party immediately after their convention. The republican convention, as I have said, was not held until the middle of September.

By Mr. MERRIMON:

Q. Fix the date if you can.—A. I think it convened on the 10th and adjourned on the 14th or 15th. At the time of the adjournment of the republican convention in September, the state of feeling that had been aroused by the rifle-clubs, and the conduct of the democracy generally in their canvass was such, and the alarm was so great, that no canvass was attempted by the republicans, or I think the formal canvass did not open until the 14th of October, nearly a month later. The chief cause of that was the fear and want of protection to men in making the canvass, the republican speakers. The experience which I have described as my personal experience was the experience of many others; of those who were with me on these occasions, and of others who went to other parts of the State.

In the early part of September—I do not remember the exact date—there was another event occurred which has since been a prominent event, and that was the Ellenton riot, so called, in the lower part of Aiken County. It commenced on Friday, the 15th, just after the adjournment of the republican convention, and continued from the 15th to the 18th or 19th, in various forms; and that had a great effect upon the whole canvass, of course. I received some information from persons who telegraphed me from Aiken that there was some trouble in the lower part of the county——

Q. Who telegraphed you?—A. I don't remember who the individuals were. I received the information somewhat informally; but I heard that there was trouble there. I did not know what it was, and I telegraphed to the sheriff of the county, to Jordan, to proceed to the scene of the disturbance, and do whatever might be necessary. He telegraphed me that he would leave and go there; and he afterward telegraphed me, I think on the Monday following, and if Friday was the 15th, this was the 18th, that he had been down there and that the matter was substantially over, and so forth; that was the extent of the information that I ever obtained from him. I think I have his dispatches here. This one is dated the 19th, Tuesday:

AIKEN, S. C., *September 19, 1876.*

Gov. D. H. CHAMBERLAIN:

I have just returned from the reported riot. I have not seen or heard of any fighting. Saw no colored men under arms, nor could I hear of any. They had all disbanded and left; could not be found up to last night. Whites all under arms, and re-enforcements

arriving. I was powerless to disband them. The country under a great deal of excitement. This the condition of things when I left last night late. The United States troops left here for the scene at 11 p.m. I found much excitement; if further trouble, will report.

H. JORDAN, *Sheriff*.

That was followed by other dispatches of the 19th, 20th, and 21st. [See Documentary Evidence, vol. 3, Part X, xii.]

On the 20th or 21st of September I left for the North, and was gone eight or ten days, supposing from these dispatches of Sheriff Jordan that the affair was over, and not hearing that there was any serious loss of life; but on my return, and in fact while I was away, information came to me that the matter was very serious, and I returned as soon as possible; and I was here I suppose about the 28th or 30th of September; but there was no official information received here, nothing like a connected account of it, and I made various efforts by letters and otherwise to ascertain what the causes of it were and what the facts of the affair were. There was a noticeable absence of any reports through the newspapers, democratic newspapers, or other sources; and finally I sent two special agents, with directions to go to Aiken, and proceed through the disturbed country, and make me an official report of the condition of affairs, of what had happened; and I have here a copy of this report. I subsequently took action, which is well known to the committee, of course, and to the country, in reference to the affairs in those counties; and I present these papers as the ground upon which I acted in that matter. [See Documentary Evidence, vol. 3, Part X, xiii.]

The first paper I present is a copy of an official report by Thomas H. Blackwell and James Canton, who were the two persons to whom I have referred. [*Ib.*]

By Mr. MERRIMON:

Q. Did they bear a commission from you?—A. I think I gave them official instructions in the form of a letter, signed by me as governor.

Q. How were they to discharge their duties?—A. To ascertain all the facts from any persons able to give them information, and to report to me the exact facts as near as they could ascertain them. I think they did inquire universally of people of both parties.

Q. Do they say so in their report?—A. I think they do, sir. During the progress of the Ellenton riot I asked General Ruger, who had some troops stationed at Aiken, to send a force down there to preserve the peace. I received informal dispatches from persons that I did not know anything about, in many instances, stating that there was bloodshed or danger of it, and General Ruger did send a company of troops down there, and, as subsequently appeared, they apparently prevented a great deal of bloodshed.

By Mr. CHRISTIANCY:

Q. That is the affair at Rouse's Bridge that you are speaking of?—A. Yes, sir; I have before me the report of Captain Lloyd, who was in command of the company that went there. [See Documentary Evidence, vol. 3, Part X, xiii, ii.]

By Mr. MERRIMON:

Q. Did he make that report to you, sir?—A. No, sir; he did not. It is a copy of his report as published in the newspapers; he made it to General Ruger or the Adjutant-General's Department. I have here also, with reference to the Ellenton matter, a mass of testimony or of docu-

ments, of which the originals are on file in my office, which cover the information which I obtained at that time while it was under investigation, and I should like to submit it to the committee. It relates to the Ellenton massacre, and show the evidence upon which I have acted.

Q. Are these papers all *ex parte*?

The WITNESS. What do you mean by an *ex parte* paper?

Mr. MERRIMON. Without information to anybody against whom they are directed.

A. Of course I had no occasion to call the two parties before me.

Q. Do those papers contain the statements of both whites and blacks and of members of both political parties?—A. I do not know the color of the persons at all. These affidavits that were taken, most of them, are affidavits that were obtained by those persons I sent down there. Whether they were from white or colored, democrats or republicans, I don't know; I have no means of knowing.

Q. Whether those affidavits were made by whites or blacks you don't know?—A. No, sir; I don't know at all.

Q. You cannot tell by the reading?—A. I don't think so, sir.

Q. Have you read them all?—A. Yes, sir; I have read them all. I don't think there is any evidence as to whether they are white or colored. I might infer from other facts that I know that most of them might be colored.

Q. Is there any positive fact by which you know that some of them are not colored?—A. No, sir; I don't know whether any of them are or are not. Here is the affidavit of Mrs. Harley, who is no doubt white. [See Documentary Evidence, vol. 3, Part X, xiii, iii.] There were affidavits taken from both sides, and there must have been, I suppose, some white.

By Mr. CAMERON:

Q. Go on, Governor, and just state what they are.—A. Here are the affidavits of Lucy Hosea and Julia Turner. [See Documentary Evidence, vol. 3, Part X, xiii, iv.]

Here is the affidavit of a person who came into my office during those riots and made this statement. He is an individual known to me. I know him very well, and he made this statement to me, which I took down in my own hand and did not attach his name to it, as I gave him a promise that I would not, because he declared that he would not give the testimony if I did. That I took myself, and nobody has ever known who the person was who gave it except myself. [See Documentary Evidence, vol. 3, Part X, xiii, v.]

Here is an official letter addressed to me by Mr. Corbin, the district attorney during those times, giving the history of the Ellenton affair, based, as he sets forth, upon the testimony of more than one hundred witnesses. That is an official document. [See Documentary Evidence, vol. 3, Part X, xiii, vi.]

Here is another statement, made by myself, and a second, made by Mr. Corbin, which was a public document at the time, and is a part of the history of these times. [See Documentary Evidence, vol. 3, Part X, xiii, vii.]

Here is the letter of Judge Wiggin, who is judge of the circuit in which Barnwell and Aiken Counties are situated. The paper I have here is made from the original in my office, and is here presented in the form in which it appeared in the papers. [See Documentary Evidence, vol. 3, Part X, xiii, viii.]

I had occasion also to make official statements of those affairs after

they occurred, and they were published in the newspapers, and there are a number of statements which were published in the New York Tribune in regard to the Ellenton affair and my own reasons for calling upon the United States for aid. [See Documentary Evidence, vol. 3, Part X, xiv.]

Here is a copy of my official proclamation of the 7th of October in reference to the rifle-clubs in the disturbed counties. [See Documentary Evidence, vol. 3, Part X, xv.]

Here is the President's proclamation upon the same subject. [See Documentary Evidence, vol. 3, Part X, xvi.]

MR. MERRIMON. I want to say that the committee has allowed this witness to put in this volume of *ex-parte* statements, many of them unsworn statements, newspaper articles, by whom inspired and under whose auspices we do not know, while on the examination of the witnesses on the democratic side the committee would not allow them to give newspaper accounts of these transactions, and confined them strictly to matters within their own personal knowledge and such declarations as they may have heard from negroes engaged in the riots. I submit to the committee that such a proceeding is not right or proper.

MR. CHRISTIANCY. In reply to that I wish to say that Governor Chamberlain at that time was acting as the executive of the State, and that it was his duty to obtain such information as he could get, in order to guide his own action; and that he was under the necessity, as governor, of availing himself of any such information as he thought credible, and that he offers it here now as the grounds upon which he acted, not as the proof of the facts stated in these papers; nor do we claim it to be proof of the facts stated in them.

MR. MERRIMON. I have one remark to make in reply to that. I deny that Governor Chamberlain had the right, as chief magistrate of this State, to proceed upon the mere naked statements of individuals or upon a partial or *ex parte* examination of the sort that these statements show. It was his duty, as chief magistrate of the State, to have proceeded according to law to ascertain the facts in each case, and then he would have had an official report to have submitted to this committee. The constitution and laws of this State prescribe the means whereby he was to obtain information, and he ought to have proceeded according to those means.

MR. CHRISTIANCY. If that be true, as contended by Senator Merri-
mon, then the weakness of Governor Chamberlain's case will be exposed by these very papers which he has submitted.

By MR. CAMERON:

Q. If you have anything further that you desire to say in regard to the Ellenton affair, you may state it.—A. Well, I propose to say, to make it a part of my testimony, although the fact must be known, that owing to the Ellenton affair and to the existence of the rifle-clubs throughout the State, I made an official proclamation on the 7th day of October, in which I called attention to the existence of the rifle-clubs and ordered their disbandment at once; and also notified the people of the State that, unless peace was restored and good order prevailed, I should feel called upon to exhaust all my power, and, in the last event, to call upon the President of the United States; and as the result of that, I did, at a later day, call upon the President to aid in suppressing domestic violence in this State; and the President responded to that call and sent a large number of troops into this State, with a view of preserving the peace and allowing a free election. I state that simply as a matter of narrative.

Q. Mr. Haskell, in his testimony, spoke of the Combahee riots, as I believe they are called, and I think he stated that he had a conversation with you in reference to those riots?—A. Yes, sir.

Q. And my recollection is that he testified before the committee that he tendered his assistance to you to suppress those so-called riots, and he made some further statements in reference to those Combahee riots. You may give the committee any information you have in your possession in reference to those riots.—A. Those riots on the Combahee, if they may be called riots, were originally strikes. Laborers in the rice-field, chiefly colored, considered themselves aggrieved by the manner in which they were paid and employed, and they organized extensive strikes on the Combahee River, on rice-plantations; and subsequently the strikers, to some extent, forced others to join them, preventing them from working when they were willing to work upon the terms offered. They violated the law, and I gave instructions to the sheriff of the county and to the trial-justices to proceed against those people who were whipping, and undoubtedly whippings took place in order to compel parties to take part in the strikes. But they continued, however; sometimes there would be quiet for a week, and then they would break out again; and so they went on for several weeks, from the middle of August, I should say, and so on. I don't know that it was ever claimed upon either side that there was anything political, however, in those riots.

By Mr. MERRIMON:

Q. When were they?—A. I think they occurred between the middle of August and the middle of September, in the rice-gathering season chiefly. I think there was some disturbance when they were starting the crop there, but I recollect that it was during the rice-gathering season that the chief trouble occurred. The causes of those disturbances were plain enough, and if the strikes had been mere strikes, if they had not undertaken to force anybody into it, I would think they were fully justified in that strike. I recollect that Colonel Haskell came into my office and spoke about those riots. I think that at one time he had heard as I had heard, that they had some of the planters penned up in a house, and I think they did keep them there for some hours, I don't know how long, and it was during that time that he was desirous, as I was, of learning the situation of affairs down there. But before anything was done from here or from Charleston that affair was over, and we were not obliged to take any official action. I don't recollect anything of particular consequence in Colonel Haskell's conversation with me.

By Mr. CAMERON:

Q. General Connor has been before the committee as a witness, and he testified in regard to the Charleston riots; you may give the committee such information as you possess in regard to those riots.—A. Well, the Charleston riot, referring now to the one which occurred in September—the 10th of September I think, but I will not be certain of the day, though it was in September I am quite sure—grew out of the presence or the participation of some colored persons in a democratic meeting.

Mr. CAMERON. September the 6th was the date of it, according to my recollection.

The WITNESS. It was along about that time. I received a good many communications by telegraph and by letter respecting that matter, and I issued a proclamation. I don't know that I have a copy of that here, though I intended to have brought it, but probably have not.

By Mr. CHRISTIANCY:

Q. You can state the information upon which you acted.—A. I made an official proclamation, calling upon the mayor of the city and the sheriff of the county, and the chief constable of the State, who was then in Charleston, to take all measures in their power to preserve the peace, and bring those who had broken it to justice.

By Mr. MERRIMON:

Q. Where is that proclamation?—A. I thought I had it with me; if I have not I will send it to the committee to-day. It was accompanied by official letters from the mayor of the city and from the chief constable. That riot, however, went over without any further outbreak, though it created a great deal of excitement. One man only died from the effect of it; one person was wounded and finally died from a pistol-shot. I think no one else was——

Q. Was he a white or black man?—A. He was a white man, a white democrat. It appeared from the information which I received that the affair grew out of political excitement, and was very violent while it lasted. There was very little of actual damage done except to the public peace and the feelings of the community. The riot lasted for some hours, but only one person, as I said, was killed.

By Mr. CAMERON:

Q. General Connor also spoke of a riot which occurred in Charleston on the day after the election; that is, the 8th of November. If you have any official information in regard to that you may give it.—A. I have very little official information in regard to that matter; no one has reported it officially. I have received some letters and have listened to some statements by those who were present.

Q. Did you take any official action in regard to that riot?—A. I did not, sir.

Q. A great deal has been said by various witnesses before this committee in regard to the militia organization of this State; if you have any information which you can communicate to the committee in regard to the militia organization and its extent, please do so.

Mr. CHRISTIANCY. It has been alleged that none but colored people were allowed to organize.

Mr. CAMERON. It has been alleged, as Judge Christianity states, that none except colored people were allowed to organize into companies as militia; that some white companies were organized and tendered to you or to your predecessors and were not accepted. The committee will be obliged to you if you will give them such information as you have in regard to this militia question.—A. The militia organization, under the reconstructed government, took place, I think, in '69 or '70—I don't think there was any organization in '68—and all the arms-bearing people of the State were enrolled; their names were taken in various counties; but when it came to the organization of companies and regiments it was found that the color feeling between the two races was so strong that the whites were unwilling to be associated in the same organizations and under the command, as they would be in some instances, of colored officers. I do not understand that there was ever any objection whatever to the organization of the white people of the State into companies like any other citizens, if they had been willing to be so organized under the militia-law. The militia-law recognized no color at all. The result of it from that cause was that none but colored men generally belonged to the militia, although there were certain white officers,

but certainly very few, if any, white companies were organized, and in that way the militia of the State became colored, and in no other. I have a statement here—

By Mr. CHRISTIANCY :

Q. Let me ask you one question right here : Whether the white people did not object to forming companies unless they should form as whites ?—A. Yes, sir ; certainly ; that was their difficulty. They said that if they were organized into white militia they would join the militia, if they could be separated from the colored.

By Mr. MERRIMON :

Q. Was it not competent for the governor, under that militia-law, at that time, to have accepted white companies just as he accepted black companies ?—A. Yes, sir ; certainly ; he could have accepted them if they had become parts of the militia organization of the State ; not otherwise.

By Mr. CHRISTIANCY :

Q. That was just where the difficulty lay ?—A. That was where the difficulty lay. Here is a copy of the militia-law of the State, with certain statistics relating to the original organization of the State militia, and the number of arms that were issued, and some other information. This is a statement that is made by the present adjutant and inspector general. [See Doc. Ev., vol. 3, Part X, xvii.]

By Mr. MERRIMON :

Q. Who makes this ?—A. Mr. Kennedy, the adjutant and inspector general.

Q. I see you do not append here the act of 1874 providing for the reorganization of the militia ?—A. No, sir ; I have only given the act under which the organization was originally made. The act of 1874 has no effect upon the organization of the original militia, which was the point to which I was directing my attention.

Q. I see you have referred to arms in this report, connected with the militia from its organization in '69, which is the time when the organization first took place, down to now ?—A. No, sir ; not brought down to now. It was to give the original organization of the militia that that paper was prepared, and the number of arms that have been put into their hands by the State authorities.

By Mr. CAMERON :

Q. Do you desire to say anything further in regard to the militia, governor ?—A. Something was said during the canvass—I do not know whether it has been brought to the attention of the committee—about the surreptitious shipping of arms to various parts of the State.

Q. It has been brought to the attention of the committee.—A. Well, I desire to say that no arms, so far as I am informed—certainly so far as I am concerned—have ever been conveyed to anybody in a surreptitious or unauthorized manner ; and that no arms have been issued by me during my administrations to the militia of the State at all. On the contrary, I have called in the arms of some portion of the militia, because I thought they were not prudently used.

I always regarded the fact that the militia of the State were chiefly colored as unfortunate. Without going into the question of responsibility for that result, I thought it was very unfortunate, and I have done whatever I could to bring about a better state of feeling in reference to

that; and, as I have said, I have issued no arms, though I have been urged to do so.

It appears from the newspapers and other statements that some arms were inclosed in a box and sent from here during the canvass to some one—I don't remember his name—in Laurens County; but they were seized at the depot in Newberry, by the town authorities, perhaps, and held, and are there still, as I suppose. They were said to be arms that belonged to the State. They were not issued or sent with my knowledge, and did not go, as I am informed, from the adjutant general's department; and I have never been told, not having seen the arms, where they did come from. They must have been a portion of the arms that had been at some time issued to the militia; but they were not issued by the adjutant-general's department, or with my knowledge or consent, at the time that they were conveyed from here to Newberry. It was a small number, probably fifteen or sixteen arms; but there was a great deal said about it, and I think it was charged, on the strength of that, that I was shipping arms, pending the election, about the State surreptitiously. Nothing of that kind was ever done.

Q. Several witnesses have testified in regard to that matter; my recollection is that they were shipped to a man named Turner, who was a resident of Laurens County, but were shipped to Newberry Court-House, and they were seized at Newberry by the authority of the intendent of the town, or, perhaps, the town council; that the person to whom they were shipped was sent for and they were opened, perhaps in the presence of the man to whom they were shipped, when the box was found to contain arms. He disclaimed having any interest in them; and it was testified further by the intendent of the town, whose name I do not now remember, that he communicated with you in regard to those arms, and you directed that they should be shipped to the State authorities here. He stated, I think, that he received a letter from you requesting them to be forwarded, and he answered that they would be shipped when they were proved to be State arms, or something of that sort. I will ask you if you had any knowledge of the shipping of those arms?—A. None at all, sir.

Q. Have you any information that they were shipped by any of the State authorities?—A. On the contrary, my information is that they were not; that no State official knew anything about them. This is hearsay, of course; but my information was that they were a part of some arms issued, during Governor Scott's administration, to Mr. Crouse, of Laurens, and that they were never taken up there. I think he was colonel of a regiment at the time; that it was three or four years ago when they were issued, and that somebody got permission from Mr. Crouse's family to send for them on this occasion.

Q. Mr. Crouse has since been killed?—A. He has since been killed.

Q. It has also been testified before the committee that, I think, six thousand rounds of ammunition were shipped or sent to somebody in Charleston, I don't remember to whom they were sent, and that they were not delivered?—A. There was a quantity of ammunition that was issued to General Smalls, who commanded the regiment there, for the use of the regiment under his command, because it was expected that the militia might be called out to put down those Combahee riots, and they had no ammunition whatever, and this was sent to Charleston for that purpose. It is probably in Charleston now awaiting call. I think General Smalls arranged that the ammunition should remain in Charleston unless there was imminent occasion for its use.

Q. Mr. Haskell in his testimony stated, according to my recollection,

that you aspired to be the democratic nominee for governor at the last election in this State; what is the fact in regard to that?—A. There is no truth in that statement, sir. I never aspired to be the democratic candidate at all. The only relation that I had to the democratic party was, that I was talked of as a candidate in case that they laid aside some part of their present feeling and nominated somebody who would receive, as it was thought, the support of the better element of both parties. It was never proposed, under any circumstances, that I should be the democratic candidate. I could not have been the democratic candidate, because I was always a pronounced republican. I could have been, consistently with my views and record, the candidate of a party who should have looked for good government in South Carolina without regard to party politics.

Q. A number of witnesses have testified that you yourself were either an actual or honorary member of some of these rifle-clubs; what are the facts in regard to that?—A. Well, sir, as I said when I began to speak of the rifle-clubs, previous to the beginning of the present campaign all the rifle-clubs that I knew anything about were social organizations. Two of them existed here in this city, composed of very respectable gentlemen. I could not have stated, if I had not seen it in the papers, which made something of an impression upon my mind, that I was a member of them. I think I recollect that I received notice that I had been made an honorary member of, perhaps, the Richland Rifle Company. I know that I attended one of their festivals at a shooting-match near the city, some time in 1875, and made them an address. It was a purely social occasion. There was some target-practice and a picnic, and some prizes awarded. I attended it in a purely social capacity, and I had no objection to it, and I should have no objection to such an organization at any time. If they were not strictly allowed by the law, they certainly had no law-breaking aim in view, and I was very glad, as I would be at any time, to encourage a social feeling of that kind. But if anybody pretends to say that I had any connection with any club that was considered a military organization, in the sense of making any public demonstration, either for or against the government, or assuming any military duties whatever, except merely putting on the form of a military organization for social purposes, it is utterly untrue. I never countenanced anything of the kind in the world.

Q. Judge Mackey was a witness before the committee the other day, and testified as to a conversation that he had with you on the cars between this city and Chester, where he resides.

[The stenographer read from Judge Mackey's testimony, as follows:]

I said to him, "Governor Chamberlain, information has just reached me that a widespread riot is in progress at Ellenton, in Barnwell County, on the edge of Aiken County, and that the whites and blacks are in collision. You know, sir, that if armed organizations of blacks and whites confront each other, and they are at all equal in strength, the blacks will be destroyed, and I trust that you will return immediately to Columbia and set in motion the officers of the law, or the necessary military force, to check this riot, which may soon cover a wide belt of country if not checked. There are a number of negroes on this train who are excited and alarmed, and fear that it will extend even to this section." Governor Chamberlain answered me that he thought that he could do no good if he returned to Columbia in the way of checking it, and that he had made his arrangements to visit his family in Massachusetts. I replied, "Governor Chamberlain, it will do you more honor to return to your post of duty, and to save the life of the humblest negro or the poorest white man than you can possibly achieve in the field of politics." And he said, "Well, I cannot return; here I am on the train, and the train has passed Winnsborough"—that is where the up train meets the down train. I answered, "Yes, the train has passed Winnsborough, but you observe that it has stopped. At my request the conductor of this train signaled the down train, which was behind time, and the engine is smoking at your side to

bear you back to your post of duty. Conductor Newcomer is in charge of the down train, and he is now waiting, and will wait on you thirty minutes." Then he replied definitely that he would not return.

I answered, "God help the people who are subject to the rule of the stranger, who views without pity the shedding of their blood; and when Hampton is governor, as he surely will be, he will go to the front when armed white men and armed colored men are in collision, and he will lay his hand on the arm of the white man uplifted to strike the negro, and he will check him; and he will lay his hand upon the shoulder of the negro, and he will bring them both into court to settle their differences."

Governor, your attention has now been called to the testimony of Judge Mackey in relation to a conversation which he claims to have had with you on the cars between Columbia and Chester on the night of the 19th of September last. Please go on and state the conversation you had with Judge Mackey, if you had any, at that time.—A. I had been intending and was obliged to go North for my family some time before the canvass should be opened more fully than it was then, and having heard by the sheriff of Aiken County that the trouble was all over, on Tuesday, I think, the 19th, I left Columbia for the North. At some place, I do not remember where, between here and Chester, Judge Mackey came into the sleeping-car where I was asleep in my berth and awoke me, and told me a long tale about what he had heard of the Ellenton riot. He seemed, as it appeared to me, to have had an advance glimpse of the horrors of that affair. He told me that several persons had been killed down there.

I told him that had received official information from the sheriff that everything was quiet, and that he had not reported anybody killed, and that everybody had dispersed who had gathered, and that I had received the last dispatch an hour before I took the train; that it seemed to me that there was no necessity of my going back unless he had some positive information; and he had none, except some stories which I had heard in Columbia. I had heard the same stories, but I had official information, as I said, by a dispatch from the sheriff; and I told him I saw no good reason for turning back; and he was unable to suggest any good reason why I should.

All this talk about the train waiting for me and being ready, and about the engine smoking at my side to convey me back to my post of duty, is the imagination of Judge Mackey, and has no foundation in fact whatever, none at all; and where he says that he left me with the exclamation, "God save the State from the rule of the stranger!" he states what did not occur at all. On the contrary, after disposing of this matter of the Ellenton riot, he entered, as he usually did, upon general political topics, and his last words to me were a very melo-dramatic and solemn assurance that, no matter what occurred in political matters hereafter, "I want you to be sure, Governor Chamberlain, that I shall never asperse you."

I recollect that those were the last words he said to me. That was his phrase, and that was only one of hundreds of assurances which Judge Mackey gave me; that while he was very much opposed to the nomination of General Elliot, and sometimes he objected to Mr. Dunn upon my ticket, yet he should never say anything that would be derogatory to me; that I had been an honest and faithful governor, and a firm friend of his, and that under no circumstances should he asperse me; and he left me, as I said, with that assurance that night. That is all there was of it. He told me the same stories that I had heard before I left Columbia, and which I had telegraphed to the sheriff about, and I had received the assurance of Sheriff Jordan that they were not true, and there was no reason for my turning back. What Judge

Mackey told me, however, those rumors which we heard that day, were the beginning of the real truth of the Ellenton affair, and if I had known them to be true I should not have gone on. I afterward received information—it was stated in the Charleston News and Courier also—by various persons that this sheriff had sent a false dispatch to me, and that he never had been within less than seven miles of the scene of the riot; and I believe that to be a fact, that he never did go there; but I did not know that at that time, and I did not know so until weeks after; at least until after I returned from the North.

Q. Have you seen a copy of the testimony of Judge Cooke, in reference to an alleged conversation that he had with you on the railroad respecting the use of United States troops for election purposes?—A. I did see it, and I recollect it sufficiently to say it is utterly unfounded. Neither Judge Cooke nor any other man had any such conversation with me. I always looked upon the use of United States troops—

Mr. MERRIMON. As this is a matter of some moment, and probably will be frequently adverted to, I think this witness had better have the testimony before him.

The WITNESS. I have seen the testimony, and I am perfectly satisfied to testify in reference to it.

Mr. CAMERON. I will read the testimony of Judge Cooke.

By Mr. MERRIMON :

Q. Well, state whether you had any conversation with Governor Chamberlain on the subject of the campaign, and, if so, when and where and what?—A. I did, I think, on the Greenville road, between Hodges and Greenwood stations, on, I think, the 23d of August. Governor Chamberlain had been to a political meeting at Abbeville, and had requested me to go over there and attend that meeting in company with him. I went from Greenville on the 21st—on Monday, I think it was—to Hodge's, and met him and went down to Abbeville; and the next day—the 22d, I think it was—the meeting came off. On his way back to Columbia I went down as far as Greenwood; the up train met the train bound south at Ninety-Six, about ten miles below Greenwood; I went down there on some little business, and during the trip down he and I had some little chat together about the situation, and he stated to me that from every appearance the campaign was going to be a very hard one, and that something would have to be done to bring troops in here to suppress this enthusiasm and induce the negro to vote the republican ticket; that something would have to be done to bring the troops in here. I do not know what he meant. I think that was on the 23d day of August.

Then on cross-examination he testifies in regard to the same conversation as follows :

By Mr. CHRISTIANCY :

Q. The conversation with Governor Chamberlain, about which you have testified, you state took place on the railroad between Hodges and Greenwood, on the 23d of August?—A. Yes, sir; I think it was on that day, if I am not mistaken.

Q. Who was in company with Governor Chamberlain at that time?—A. Governor Chamberlain was sitting just exactly in the position that Mr. Corbin and myself were in coming to Columbia, on the occasion that I have referred to. He was sitting behind me and I was sitting just in front of him. I am rather a large man and do not ride very well beside another man on the same seat.

Q. Who were in company with Governor Chamberlain on the train?—A. I cannot say that anybody except myself was specially in company with him; there were two gentlemen that had gone up the road with him, and they were not near us that I remember of.

Q. Was this a loud conversation which could have been heard by all the passengers in the cars, or was it one between yourselves?—A. It just passed between ourselves. I do not think it was in a loud tone.

Q. It was not intended for the public at all?—A. No, sir.

Q. It was a private conversation between yourselves?—A. Well, I did not regard it as a private conversation, but it was between ourselves.

Q. But you were neither of you talking for others to hear?—A. No, sir; I was not. I can speak for myself.

Q. Did he speak as if he was?—A. I do not suppose he could well be heard unless they were listening very attentively to hear what passed between us.

Q. Now, will you repeat again precisely what it was that he said on that occasion? Give the language as near as you possibly can.—A. Well, I will come as near it as I can, or as near as I remember it on that occasion. I asked him what he thought of the situation. He had been up to the meeting and had seen how things were going up that way.

Q. He had had a meeting up at—— A. At Abbeville. He stated, as well as I can remember, that things looked as though the democracy were determined to sweep the State, or something to that effect. I asked him if there was no way to counteract the effect of that, and he said yes; that it could be provided for, or something could be done to check this growing enthusiasm on the part of the people. I cannot pretend, at this time, to give the exact language of Governor Chamberlain; in fact, what occurred never entered my mind again until after the troops were scattered over the State and these riots occurring. When those two things took place, then my mind recurred to the conversation I had had with him.

By Mr. CAMERON:

Q. Now, governor, you may state whether you had that conversation with Judge Cooke, or any similar conversation, at the time mentioned by him, or at any time.—A. I did not have any such conversation at that time with Judge Cooke, or with any other person. Such sentiments have never existed with me. I always looked upon the calling for troops of the United States as the very last resort for the preservation simply of the public peace. I have never regarded their use, as a means of advantage to the political party with which I was connected, as a thing to be thought of. I may have stated to Judge Cooke on that occasion that the conduct of the meeting which I had attended indicated that we were to have a violent and bloody campaign—for it was impressed upon my mind as clearly then as it is now—and that we might have to have United States protection in order to have a canvass or an election.

I say emphatically that I never intended to convey any such sentiment as that troops must be called in to suppress the enthusiasm and save the party, or anything of that kind. No man alive ever heard such a thing from me—nothing remotely resembling it, I mean. My whole action in reference to the troops has been simply of conserving the public peace.

Q. Mr. Merrimon desires that I should ask you whether you and Judge Cooke traveled together at the time he mentions in his testimony.—A. Yes, sir. Judge Cooke was at the Abbeville meeting with me, and was a very warm supporter of mine; and he desired me to inform him when I was going to Abbeville, that he might be present with me, and I did inform him at Greenville, and he came down to attend the meeting with me. I do not recollect whether he rode from Hodges down to Greenwood or not; I presume he did. He came down to, probably, where the up-train met the train I was on coming to Columbia; very likely that was correct. Judge Cooke, by the way, supported me very warmly, indeed; and, while I was a candidate for nomination, he entered the republican convention and was called on for a speech, and made one; and in that speech he recommended very strongly to the convention to nominate me, and pledged his support to me if I was nominated.

Q. You may state, if you please, how the political campaign was conducted, on the part of the republicans, after the nomination.—A. Well, as I have said before, the republicans, from their experience of the kind which I have described as my own, did not feel in the different counties, especially in the upper part of the State, that it was personally safe for them to canvass; and the consequence was that week after week went

by after my nomination in the middle of September, and there seemed to be no way of canvassing the State, on account of the rifle-clubs, and of threats of violence to the leaders of the republican party, and the other demonstrations that had taken place.

The exceedingly violent tone of the men who were chiefly responsible for inaugurating the straight-out policy was one cause of fear on their part; and the result was that from the time of my nomination until the 14th of October no general canvass of the State was made. Between the 14th of October and the day of election we managed to hold one general political meeting in each county. But the local leaders in the counties, in some instances, in the upper part of the State were afraid to go out in the country to attend the local meetings, for fear of their lives. In consequence of these facts there was nothing like a full canvass of the State made, neither by the party generally, conducted from Columbia, nor by the local leaders. The policy of a division of time was insisted upon by the democrats, and that amounted to simply giving up the meeting to them; and you could not get quiet, peaceable republicans to come out and expose themselves to such treatment after they had one or two experiences of it. That must have been the design of this division-of-time business. I think the purpose was to prevent me and others from making a thorough canvass of the State, and I did not go out after my nomination at all, though I had purposed to do so.

We entered into some negotiations for joint discussions, in the hope that we might be so protected, by agreement made with the democratic executive committee, that we could conduct those joint discussions; but the negotiations resulted in the democratic committee insisting upon such terms that the republican committee could not accept them, and the joint discussions fell through. I did not speak at all to the people from the time I was nominated until the election, simply because it was not considered safe; it was regarded by my friends as an unnecessary exposure of my life, and being the candidate of the party, it was not thought to be best that I should make the attempt. I was very anxious to do it for some personal reasons, but I finally consented not to do so, because it was not considered personally safe. Although I was governor—I was more than candidate, I was the governor of the State—it was not considered safe, by those best informed, that I should even travel upon the railroads, and I remained in Columbia constantly, for that and no other reason. I had been in the habit in campaigns heretofore of canvassing the whole State. In 1874 I spoke in every county but two, and could have done so this fall, I think, but for the violent conduct of the campaign on the part of my political opponents. I stated that there were some propositions made for joint discussions, which were carried on by correspondence, and I have copies of that correspondence if the committee desire it.

Mr. CAMERON. General Elliot has furnished that to the committee.

The WITNESS. The conduct on the part of the republicans was that of entire fairness, without the least effort to overawe. I suppose, as in most elections, in some places where the republicans were in large majorities there may have been individual instances of the kind; but there was nothing that approached a system; while on the part of the democrats the canvass was conducted through more than one-half of the State upon the most violent and aggressive plans. My official action as governor throughout the canvass was, as far as I could possibly make it, one of entire fairness to both parties.

In the height of this political excitement and violence, when no

shadow of decency was shown to me, not only as the candidate but as the governor of the State, I notified the people of the State that in appointing the commissioners of elections, for instance, which was considered a very vital point, I should appoint on every board of commissioners a representative of the democratic party, and that I should not allow persons who were candidates for office to be commissioners of election: and I adhered to that with one single exception; there was one county where I could find no republicans outside of those who were candidates for office that I considered fully competent for that position, and I felt obliged to leave them on the board.

By Mr. CHRISTIANCY:

Q. Were the board of commissioners candidates?—A. Two of the commissioners were candidates in Laurens County. I do not know whether the democratic member was a candidate or not; I have forgotten. In all instances, I believe, throughout the State, the commissioners appointed a representative of the democratic party on the board of managers of the election. In all respects, as far as I was able, I acted simply as the governor of all the people, black and white, and endeavored to have a fair election.

My reasons for issuing the proclamation to disband the rifle-clubs, and my reasons for calling upon the President for aid in preserving the peace in the State, are chiefly stated in those documents which I have presented, and, in my judgment at that time and now, I was fully warranted in doing it. I should have been utterly untrue to the people of the State if I had not done it. As it was, with all the aid that was extended to us here for the preservation of peace, and of giving us a fair election, the republican voters could not be protected. A few troops at the court-house, and at a few points in the county, were not sufficient to protect them, and they were not protected, in many instances, on election-day.

By Mr. CAMERON:

Q. I will ask you right there what was the character of the election held on the 7th of November?—A. I consider it was an election that was characterized, on the part of the democratic party, by two great facts: first, violence; and, second, fraud; resulting in overcoming a majority of at least twenty thousand republican voters in the State, and making the vote of the two parties stand nearly equal. A man was killed in the neighborhood on account of his political associations, or denounced, and that produced what we call intimidation. It resulted in causing fear in the minds of a great many people, who themselves were not endangered, and it was a justifiable fear.

The evidence of fraud in some of the counties seemed to be perfectly clear; in the county of Edgefield, for instance, I do not see how anybody could dispute it by any test that can be applied to either the number of votes, or as to the character of the votes between the two races, compared with the census or with any standard of measurement.

Q. If there is anything else, governor, within the scope of inquiry which this committee is authorized to make, that you desire to state, you can do so without being particularly questioned in regard to it.—A. Well, sir, I do not know but I have stated generally. I have spoken of my conduct with respect to the commissioners of the election. That appointment has always been considered as a very important one, and here is a copy of the notice which I gave to the people of the State at the time, of the rules that would govern me in my action upon that

subject, to which I have adhered with the single exception that I have already stated. [See Doc. Ev., vol. 3, Part X, xix.]

I understood that something was stated by, I think, Colonel Haskell, in the testimony before the committee, respecting a conversation with me about disarming the militia in Edgefield County.

Mr. CAMERON. Yes, sir; he did.

The WITNESS. I think that it is proper that I should state the circumstances connected with that matter. I think in December, or certainly in the very last of January, 1875—I think perhaps in December, 1874—very soon after I became governor, there were some troubles in Edgefield County between the whites and the colored people, and it was then brought to my attention that there were a large number there of those rifle-clubs, which have since become so prevalent throughout the State; and that the colored militia on the one hand and the rifle-clubs on the other kept that county in great turmoil, and upon a pledge from the leading men in the county that the rifle-clubs should be disbanded in the county, I ordered the militia arms to be turned in to the sheriff of the county at the court-house, and to be retained by him instead of being in the hands of the militia; and they were brought in and stored in the jail. They remained there until during this last campaign, when there was a raid made upon the jail and the largest part of them were taken out and have never been returned.

Here is the letter of the sheriff of Edgefield County, with reference to the raid upon those arms. [See Doc. Ev., vol. 3, Part X, xviii.]

Colonel Haskell referred to a conversation in which I had admitted that I had, perhaps, exceeded my authority in the matter. Colonel Haskell is certainly mistaken in making any such statement. I never considered that I stretched my authority at all. I did it simply upon the pledge of the leaders of the democracy that the rifle-clubs should be disbanded; I did it in the interest of the public peace of that county, and not for any political purpose; nor did I overstep my authority as governor in doing it. I had, as commander-in-chief, full authority to do it; but it resulted in this campaign, as I have stated, in the loss of part of those arms by their being taken out of the jail at night.

Q. I think Colonel Haskell also referred to a conversation that he had with you in relation to the Ellenton riots?—A. I remember he came to me about the Ellenton riots one day; I do not remember for what purpose particularly, but I think it was to inquire if I had information in reference to those riots, before it was generally known what the affair was.

Q. Have you any other documents that you desire to submit as explaining or illustrating anything that you have stated, or your official conduct?—A. I have some correspondence with some gentlemen from Charleston, in reference to the use of troops for the protection of the voters of either party, who were in any danger of being disturbed in their right to vote, and there are copies of those letters here that I will submit as part of the history of the campaign. [See Doc. Evidence, vol. 3, Part X, xix.]

I have here, also, copies of communications that were sent to me as governor, during the canvass, from various parts of the State, issued in the form of letters, some from persons of both political parties, showing the apprehensions of the people and the condition of affairs as connected with the public peace in those counties. They all illustrate the history of that campaign, and I will treat them as documentary evidence. [See Documentary Evidence, vol. 3, Part X, xx, 1-23.]

Mr. MERRIMON. To wind up this examination by allowing the gov-

ernor of the State, or the ex-governor as he may turn out to be, to come in here and put before this committee *ex-parte* statements, with no chance or opportunity on the part of the other side to be heard by them, is, in my judgment, monstrous and unjust.

Mr. CAMERON. They may go in for what they are worth.

The WITNESS. Colonel Haskell, in the course of his testimony, I believe, referred to some conversation with me, intimating that I was dissatisfied with my position on the ticket. I do not know what the exact point was that he was testifying about, but I noticed that he spoke of a conversation with me in which he made some reference to my dissatisfaction with my position upon the republican ticket, and as to that I desire to say that Colonel Haskell was again entirely mistaken in supposing that it was ever a matter of doubt with me as to what my duty was in this political canvass. After it became clear that the democracy were entering upon a campaign such as I have described, I considered it to be my duty, without any regard to the consequences, perhaps, of success or defeat, to oppose in as vigorous a manner as possible the success of a canvass inaugurated and carried on as that was; and I never hesitated at all in my duty. On the contrary, I understood Colonel Haskell's allusions, on the occasion to which he refers, to be of an entirely different character. I do not desire to state that it was Colonel Haskell's purpose, but I understood him to make a suggestion to me that I could make good terms with the democracy if I were to abandon my own political party. Certainly such suggestions were conveyed to me by other persons, and I thought the delicate allusion which Colonel Haskell made on that occasion to be to that point.

By Mr. CAMERON :

Q. Colonel Haskell made some reference to your conduct or perhaps your action, I do not now remember which, from 1868 to 1872, in which he said you had, as attorney-general, approved of all the steals, I think, or something of that sort?—A. I was, as I have said, attorney-general from 1868 to 1872, and a member of various State boards; and, while charges have been made against me from time to time in connection with those boards, there has been no proof; nothing of the kind. I have been before the people and been through the most vigorous campaign, and great promises have been made of what would be shown; and I observe the same thing from time to time now; but there has been a lamentable failure of proof; nothing of the kind is true; I have taken part in no dishonest transactions, and I am not responsible for them; and the utmost that fair-minded men, who are opposed to me politically in this State, say as to the affairs referred to from 1868 to 1872, is that I might perhaps have prevented others from doing as much mischief as they did. How that may be I cannot say; and it is possible that something might have been done, perhaps, more than was done; but we are all a good deal wiser than we were at that time. What I desire to emphasize is, that in reference to the detraction and charges made respecting me from 1868 to 1872, there is not a word of truth in the whole of it.

CROSS-EXAMINATION.

By Mr. MERRIMON :

Q. While you are on that point allow me to ask if there has been any investigation of the charges against you or anybody else?—A. Yes, sir; a great many times.

Q. By the legislature?—A. By the legislature, and all sorts of investigations; I do not know how many.

Q. I now exhibit to the witness a copy of the Charleston News and Courier of September 20, 1876, purporting to contain expressions from his speeches, messages, letters, &c. Are these correct expressions from your speeches, messages, and letters? [See Documentary Evidence, vol. 3, Part X, xxi.]—A. I presume they are, sir; I have nothing to say against their correctness.

Q. Where were you at the time the Hamburg riot transpired?—A. I think I was here in Columbia.

Q. What action did you take immediately upon hearing of it, and how did you hear of it?—A. Well, sir, I heard of it by dispatches first, from various persons from Aiken and Augusta. My first action, I think—what I might call action—was the sending of the attorney-general, and the adjutant and inspector-general, with the chief clerk of the inspector-general, down there to ascertain as far as they were able what the facts were.

Q. How soon did you do that?—A. I think it was immediately. If I remember the day of the week, I think the riot occurred on Saturday night, the 8th of July, and I think Mr. Stone, the attorney-general, was in Hamburg on Monday.

Q. When he went to Hamburg did he have any warrants issued by any judicial authority, and was any person arrested, or anything done there?—A. At that time?

Q. Yes, sir.—A. No, sir; I think not.

Q. There was no judicial investigation at all?—A. Certainly; the coroner's inquest was going on at the time.

Q. But was anybody arrested upon warrants issued?—A. I think not until the coroner's verdict was rendered.

Q. How long after that verdict was rendered before anybody was arrested?—A. I think warrants were issued immediately.

Q. What was done with the parties?—A. The parties were arrested—technically arrested—they were informed that there were warrants for them, and those that were in this State came to Aiken.

Q. Did they come voluntarily or were they arrested?—A. I think they came upon being notified by the sheriff.

Q. They went to Aiken, and there were taken before a trial-justice?—A. I think they were taken before the judge.

Q. Judge who?—A. Judge Maher.

Q. He was a circuit judge of the State at that time?—A. He was at that time.

Q. What was his action?—A. As I am informed, he released them upon bail.

Q. They were bound over to answer at the next regular term of the court?—A. Yes, sir.

Q. What was done when the regular term of the court came, and when did it come?—A. I think the next regular term of the court was the first Monday in September. At that time I was informed that the cases were continued until the next term.

Q. Were you informed as to whether any violence or intimidation was inquired into by the grand jury at that time, or any action whatever taken except to continue their recognizance?—A. I think not; I think nothing was done except to continue the cases and to release the parties charged on their recognizance.

Q. Do you know that the parties accused were there and demanded a trial?—A. I heard they were.

Q. Has another term for Aiken County passed?—A. I think there is a term going on now.

Q. Is that term over?—A. I do not think that it is; it commenced on Monday of last week, and would not naturally be over yet, I think.

Q. My impression is that the term is over and no action taken. Have you any official information upon that subject?—A. No, sir; I have no official information.

Q. You do not know how that is?—A. No, sir.

Q. But you know that a term is in session?—A. I know the term commenced on Monday of last week.

Q. The regular term?—A. The regular term.

Q. If any action has been taken against those accused parties you are not informed of it?—A. No, sir, I am not informed of it.

Q. How far is Aiken from this city?—A. I do not know; I suppose it must be nearly one hundred miles.

Q. Is there telegraphic communication also with that place?—A. Yes, sir.

Q. Did any of the parties connected with the riot resist any authority which may have sought to arrest them, or to hold them to answer for any charge against them?—A. I do not know, sir, that they did.

Q. You do not know it, nor have you heard of it?—A. No, sir.

Q. Did you order in that connection any court of oyer and terminer, or did any judge apply at all at any time for a special term of the court to try these offenders, or any other offenders in Aiken County?—A. No, sir.

Q. It was competent for them to have done so, was it not?—A. A special term of the court could have been held upon the order of the chief justice.

Q. In Aiken County?—A. In Aiken County.

Q. To have tried those persons for those crimes?—A. Yes, sir.

Q. No such term of the court has been held?—A. No, sir.

By Mr. CHRISTIANCY :

Q. Has the governor any power to order it?—A. No, sir; none in the world. The chief justice is the only person who can order a special term.

By Mr. MERRIMON :

Q. But you have no official knowledge that any such court has been ordered or held by anybody?—A. No, sir.

Q. You did not go to the scene of the Hamburg riot yourself?—A. No, sir, I did not go.

Q. How far is that from here?—A. It is, I suppose, eighty or ninety miles to Hamburg.

Q. Is there direct communication with that point?—A. Yes, sir.

Q. As to the merits of that controversy you have no personal knowledge as to who were the guilty parties; whether this militia company was legally organized, or otherwise, you do not know?—A. I have no personal knowledge as to the responsibility of the parties; I have simply the evidence that I have presented, with such other means of information as I could get.

Q. Was any evidence taken on the side of the white people before the examination had by the attorney-general when you sent him there?—A. I think so, sir; I think he inquired of everybody.

Q. Did he take evidence on one side or both sides of that controversy?—A. On both sides, I think.

Q. Are any papers filed on the white side?—A. No, sir; he did not

file with me any affidavits. He conversed with parties there, and inquired of them who could make affidavits, and the result of that is embodied in his letter to me.

Q. From your knowledge of those parties were they not all colored people and republicans?—A. O, no, sir; I think not. I think that Mr. Stone was perfectly impartial.

Q. Can you mention one or two white men that he examined?—A. I do not know whom he examined. I never did know. He made his official report to me upon such evidence and information as he obtained, while he was there personally.

Q. How he conducted the examination you do not know, except upon his statement as reported by him?—A. No, sir; but I know he inquired of both democrats and republicans.

Q. How did you happen to write the letter to the President that you did on the 22d of July, 1876? It purports to be official.—A. Well, I thought it was very proper to inform him of the transaction, because I looked upon it as very ominous of coming trouble.

Q. Is that the usual course of business between governors of States and the President of the United States?—A. I believe it would be in such a condition of things as existed here.

Q. Had you ever addressed a similar communication before that to the President?—A. Fortunately I never had occasion to, Mr. Merrimon.

Q. Did you ever know the governor of a State to do likewise before?—A. I think so; I think governors of this State have been obliged to report matters of a similar kind to the President.

Q. Had you any authority to ask the President to aid you in executing the laws of the State?

Mr. CHRISTIANCY. You need not answer that question; that is a question of law.

Mr. MERRIMON. He can answer it or not as he likes. I am just trying to get at his motive.

A. I think I had a right as governor to make any communication that I saw fit to the President of the United States. I do not know any law against that.

Q. If it had been simply a case of homicide, do you think that it would have been a case in which it would have been proper for you to inform the President?—A. No, sir; but it was not a simple case of homicide; it was a case of wholesale massacre.

Q. Does not this go upon the same principle?—A. I think not. This case was, I thought, an outbreak of one race against another and one party against another, and it is not a case of simple homicide.

Q. Is it not a matter, however, that your State authorities had complete jurisdiction of?—A. Yes, sir; and they have still.

Q. The President could not send an army here to do anything about it, could he?—A. He could. I thought that this would probably be accompanied by other occurrences of a similar kind, and I desired that the President should be informed.

Q. Was this letter written from your office, as it purports to be? It purports to be written from the executive chamber.—A. Yes, sir; certainly.

Q. Were you in Washington about the time of the date of this letter?—A. Yes, sir; about the time.

Q. This letter bears date July 22, 1876; had you gone to Washington before, or was it just after that time?—A. I know no means of fixing the time—the exact date.

Q. Were you in Washington about that time?—A. I was in Washington about that time.

Q. Did you see the President?—A. I did.

Q. Did you see the Secretary of War?—A. Yes, sir.

Q. Did you see the leading politicians there?—A. Well, I met you at that time.

Q. I do not claim to be a leading politician. I am speaking more of the republicans, their Senators and Representatives there.—A. I saw Senators and Representatives there.

Q. Did you discuss this matter of the Hamburg riot with the President?—A. Yes, sir; certainly.

Q. With any leading republicans?—A. Yes, sir.

Q. Did you discuss the propriety of bringing troops into this State?—A. I think so. I think it was very much talked about; that this was undoubtedly the opening of "the Mississippi plan" in South Carolina, and that if the violence continued the State authorities would not be equal to meeting it.

Q. You discussed that with the President and with leading republican politicians?—A. I presume we talked about it. I do not remember particularly whether that was talked about with the President or Secretary of War.

Q. Well, at that time, did you discuss with those leading republican gentlemen there, and with the President, the political prospects in South Carolina?—A. I do not know whether I did or not. It would be very natural for me to do so, if I was calling on the President or upon the Secretary of War under those circumstances; but I do not remember that there was any discussion of the general political prospect. There was a special discussion of this Hamburg affair.

Q. With whom?—A. With the President and with the Secretary of War, and with other persons in Washington.

Q. Well, mention their names.—A. I could not mention their names. Almost everybody I met wanted to know, "What about the Hamburg affair?"

Q. But you say there was a special discussion of it?—A. I said with the President and Secretary of War.

Q. Did you broach the political campaign at that time?—A. O, no, sir; except in connection with the preservation of the public peace.

Q. The subject of politics was not alluded to at all in your conversation with the President and Secretary of War?—A. I presume it was talked about; I do not particularly remember about that. My object was simply to talk about this matter in its relation to the preservation of public peace and the enforcement of the law in South Carolina. It would have been very natural for us to have had a conversation upon political matters, but that was not the prime object of the conversation, and was not the initial point if it was had.

Q. Had there been any resistance to the State authority at that time by those Hamburg rioters on either side?—A. No resistance to the kind of arrest which took place; no opposition to coming in and giving bail.

Q. No resistance to the court at that time?—A. No, sir.

Q. In this connection I will ask you, whether at the time of this Hamburg riot, and from that time until after the late election, the State government of South Carolina was, in its legislative, executive, and judicial branches, in the hands of the republican party?—A. All the officers of the government were not republicans.

Q. The great part of them were; did they control the government?—A. We had a majority in the State, and naturally, as in other States, the

political party that was in the ascendancy had a majority of the officers.

Q. The governor was republican?—A. Yes, sir.

Q. The State officers were republican?—A. Yes, sir.

Q. The judges were republican?—A. Not all of them.

Q. How many were not at that time?—A. Well, Judge Maher was not a republican; Judge Shaw, of the Sumter circuit, is not a republican, and Judge Read, of Charleston, was hardly a republican. I suppose he supported me, it is true, but he did not consider himself a republican exactly, though he favored me individually and so was called a republican. And then a good many of the trial-justices were not republicans. In many of the democratic counties they were democrats, just as it would be in any other State where a political party was in the ascendancy and in the majority.

Q. I ask you whether the judicial, legislative, and executive branches of the government were not in the hands of the republicans?—A. They had a majority.

Q. And a very large majority in every department of the government?—A. Yes, sir; I should say that they had a large majority.

Q. Where were you at the time of the so-called Ellenton riot?—A. Here in Columbia.

Q. When did you first have notice of the disturbance there?—A. I do not remember the date, but I had some dispatches informing me of some trouble in the county, on Friday I think.

Q. Friday was the day it began?—A. That was the day it began. It may have been Saturday. I do not remember. It was after the rumors had reached Aiken.

Q. Well, sir, did you, about the time of the close of that riot, leave the State?—A. Yes, sir; I left on the Tuesday following, I believe.

Q. How long were you absent?—A. About eight days, I think.

Q. What action did you take in that connection, and how soon after it, to bring the rioters, the guilty parties, to justice?—A. I sent, as I have already stated, two special agents there to investigate the matter.

Q. Who were those agents?—A. Mr. Blackwell and Mr. Canton.

Q. Who were they; private persons?

The WITNESS. Private persons?

Mr. MERRIMON. Yes, sir.

A. Yes, sir.

Q. They were private men?—A. Private men.

Q. You did not send the attorney-general there?—A. No, sir; the attorney-general at that time was not in the State.

Q. You did not call the attention of the solicitor of that district to it?—A. There was, I think, no solicitor of that circuit at that time.

Q. You did not call the attention of the judge to it?—A. Yes, sir; I think I did call the attention of the judge.

Q. Before you left to go North?

The WITNESS. Before I went North?

Mr. MERRIMON. Yes, sir.

A. No, sir; I think not, because I understood that the matter amounted to very little, before I went North, from the dispatches which I had received from Sheriff Jordan.

Q. Did he not say in his dispatches that two or three men were killed?—A. Yes, sir; but that there was no disturbance there at that time; that there had been a collision there, and it was all over, and both parties were dispersing, and all was quiet.

Q. Did any trial-justice issue any warrant?—A. I do not know that they did.

Q. Have you any information upon that subject?—A. No, sir.

Q. Was anybody arrested at that time by State authority on account of his connection with the Ellenton riot?—A. I think not, sir.

Q. Has anybody ever been arrested on account of his participation in the Ellenton riot under the laws of South Carolina?—A. I do not know of any, sir.

Q. Has there ever been any judicial investigation of that matter?—A. I cannot tell what may have occurred at the last term of the court at Aiken, but not before.

Q. Before that term no action had been taken?—A. No, sir. There has been no term of the court until the present term.

Q. But there were no preliminary proceedings instituted?—A. No, sir.

Q. You did not advise that yourself?—A. No, sir; I did not.

Q. You took no steps to that end?—A. No, sir.

Q. At that time did you suggest to Mr. District-Attorney Corbin to take any action in that matter?—A. Yes, sir; I conferred with him.

Q. Where were you when you made this suggestion to him?—A. Here in Columbia.

Q. Where was he?—A. He was in Columbia.

Q. Are you not mistaken about that?—A. No, sir; I am not mistaken about that.

Q. You or he is.—A. What do you mean?

Q. He swears that you telegraphed him at the North to come down here?—A. I did; but the suggestions that I made to him in respect to that matter I made in my own office at the state-house.

Q. But he was absent at the North at the time of the Ellenton riot?—A. He was.

Q. And you telegraphed him to come to Columbia?—A. Yes, sir.

Q. And had a conference with him in your office touching these Ellenton riots?—A. Yes, sir.

Q. Did you have any official cognizance of him; why did you apply to him?—A. Because he represented the United States.

Q. Did you have any official cognizance of him as representing the United States?—A. No, sir; nothing but—

Q. Why did you apply to him rather than those you had official cognizance of?—A. Because those that I had official cognizance of I considered utterly unable to do anything with such an affair as the Ellenton riot.

Q. Had you tried them?—A. No, sir; for the reason that it was useless to try them.

Q. You knew that before you tried?—A. Yes, sir; I knew that before I tried. I knew that there was no power in Aiken County or in Barnwell County that was adequate to cope with those rifle-clubs.

Q. You have just told us that in the Hamburg riot there was no obstruction to the peace-officers, and that the men came up and submitted to judicial authority?—A. Very well; so they did.

Q. You did not try to see if they would submit to judicial authority in this case, did you?—A. No, sir; because I regarded it as utterly useless to do so at that time.

Q. Was there any resistance to Mr. Corbin over there?—A. No, sir; I think not.

Q. Did he charge a great many with crime in connection with that riot?—A. I think he did.

Q. At all events, did a great many come up and submit to his authority?—A. I do not know whether they came up or not; he sent for a good many.

Q. Have you information that they submitted quietly to his authority?—A. I do not think that they resisted arrest; I have no knowledge that they did.

Q. They gave bail?—A. Yes, sir.

Q. And they attended the court, according to the course of the law, did they?—A. Yes, sir.

Q. Do you know, sir, that at that time the sheriff of Aiken County stated, in a public communication, that he could arrest any man in his county without the interference of any troops whatever?—A. Yes, sir; but I know that I had a telegram from him that he was utterly powerless to disband the white men that were assembled at Rouse's Bridge at this riot.

Q. Was he a republican?—A. I do not know what he was. If he was then, he has not been since, and I had not much to do with him before.

Q. Did he vote the democratic ticket at the late election?—A. No, sir; I think not.

Q. As to how Mr. Corbin conducted his examination there you have no knowledge, I suppose?—A. No, sir; except from statements made by him to me.

Q. The judge had not reported to you that his process or authority was obstructed, had he, about that time?—A. What judge?

Q. The judge of that circuit embracing Aiken and Barnwell Counties?—A. No, sir.

Q. The sheriff had made no such report to you, had he?—A. He had made the report which I have spoken of in that dispatch, that he was unable to disband the white people that were gathered there.

Q. I am talking about immediately after the riot, not on the occasion of the riot?—A. No, sir.

Q. Had any trial-justice?—A. No, sir.

Q. Had there been any resistance to law, outside of the riot, to your knowledge?—A. No, sir.

Q. You stated, in your examination-in-chief, that there was a notable absence of reports; I ask you if there was not a great multiplicity of information given in the State papers and in the New York papers?—A. At what time?

Q. Immediately after the Ellenton riot.—A. I think not anything like a full statement of the facts. They were very imperfect statements about the affair at Rouse's Bridge, and nothing like a full statement was made. I think it was near the middle of October before I could get anything like a connected account of it. The facts had not been obtained until then.

Q. Let me ask you if you do not know that the New York Herald had a correspondent sent there on the ground, and that he published a long and detailed account of it?—A. Yes, sir; but I do not think that he published much that actually occurred.

Q. Do you know that the Tribune sent somebody there?—A. I do not.

Q. Do you know that the Charleston News and Courier did?—A. I know that the Charleston News and Courier had correspondence from there.

Q. And the Augusta papers?—A. The Augusta papers published something about the Ellenton riot.

Q. And the Columbia papers?—A. Yes, sir.

Q. Do you know, sir, that prominent gentlemen there published statements about it?—A. Why, they did finally.

Q. Do you know that General Hagood did, at an early day afterward?

The WITNESS. How early?

Mr. MERRIMON. I will not say, but a few days only after the riot.

A. O, yes, sir; it was a week or ten days, I suppose, after the riot occurred. When I referred to the notable absence of reports, it was during the interval of a week from the time that it occurred until we began to get authentic information of the extent of the riot, and of its character and purpose. I do not mean to say at all that we did not finally get at the bottom of the thing.

Q. You issued your proclamation on the 7th of October, 1876?—A. Yes, sir.

Q. I notice in your proclamation you used the technical word "insurrection," but you do not say that the authorities of the State had been resisted; was there any special reason for that, sir?—A. No, sir; I presume not. I do not remember any.

Q. Was there any insurrection in the State at the time that you issued that proclamation?—A. Well, sir; I do not think that it would be worth while to go into a discussion of that subject. I would have to ask you what you mean by insurrection, first.

Q. You are a lawyer, and have been governor and attorney-general, and I should think you ought to know.—A. I think there was clearly domestic violence in the State; that was what I charged, I believe.

Q. Were the courts open at that time?—A. Yes, sir.

Q. Were the judges and other officers about their usual duties?—A. Yes, sir.

Q. Had you any information that the courts had been obstructed?—A. No, sir.

Q. That the sheriffs had been resisted?—A. I had the information which I have already alluded to in reference to Sheriff Jordan.

Q. Had any process been resisted?—A. No process had been resisted.

Q. None within your knowledge?—A. None within my knowledge.

Q. Had Judge Cooke told you that if there was any occasion for troops in his district he would notify you of it?—A. Not that I know of. I do not think so. Judge Cooke's circuit had nothing to do with this in the least.

Q. But you have embraced the whole State in your proclamation?—A. Yes, sir, with reference to the rifle-clubs, I did. I did not say that the whole State was committing domestic violence. I referred particularly to the counties that were lying adjacent to Ellenton.

Q. You used these words in your proclamation: "And whereas it has been made known to me as governor that certain organizations and combinations of men exist in all the counties of the State, commonly known as 'rifle-clubs'?"—A. Yes, sir, that I did; that was true.

Q. Had you been informed of resistance to any authority of the State at that time?—A. I do not charge any.

Q. No, you do not charge any. I am getting at the facts, to see whether you issued your proclamation upon any reasonable grounds. Was there resistance anywhere?—A. To what?

Q. To the regularly constituted authorities of the State.—A. I think not, sir.

Q. When you issued this proclamation had you made up your mind to apply for troops?—A. Not if the proclamation was obeyed.

Q. When you issued this proclamation do you know whether these rifle-clubs, as you style them, did disarm and disband?—A. I had information, the statement of the commanding officers of eight or ten of the

clubs, that they had disbanded, but further than that my information was that they did not disband.

Q. Between the time that you issued this proclamation and the time that you sent an application to the President for troops, had there been any demonstrations of violence or an outbreak anywhere in the State?—A. O, yes, sir; it continued all the time in the counties of Aiken and Barnwell.

Q. Mention the cases.—A. The cases are embraced in the testimony that I have presented. I do not remember the names of them now. But there was a state of terrorism and lawlessness there, as was reported to me and as I show by that evidence, that was driving large numbers of the citizens out of those counties and causing them to hide from their houses at night; and the actual murdering continued for the space of ten days. I think there among those papers you will find that murders were committed upon Ellenton refugees as late as the 25th of September.

Q. If these acts took place, as you say that you are informed they did, had any steps whatever been taken to bring the guilty parties to justice, by any legal process at all, before you resorted to the extreme measure of applying to the President for troops?—A. No, sir; I knew beforehand that it was utterly useless to attempt to arrest those parties by State authority. We had no trial-justices or constables or other officers that dared to expose themselves at that time to the results that would follow from an attempt to enforce the law. The state of affairs that I have described produced naturally a perfect terrorism on the part of the officers of the law there, and I have submitted here the official statement of Judge Wiggin, who, having investigated the matter, states that he regarded the course that I pursued as the only safe and proper course to be pursued.

Q. Was he the only judge in the State who indorsed your course?—

A. He was the only judge who had any personal knowledge of the facts in the case. It was in his circuit.

Q. I ask you whether all the other judges declared that your proclamation was without foundation?—A. No, sir; they did not, with perhaps the exception of Judge Mackey and Judge Cooke. You ask if they declared that my proclamation was without foundation. They said, most of them, that, so far as their personal knowledge was concerned, within their circuits they were aware of no obstructions to the laws. They had nothing to do with the Ellenton matter. The only judge who officially and personally had some knowledge of the affair has indorsed my course in a most thorough and emphatic manner, and I have presented it here.

Q. Is he a republican?—A. Yes, sir.

Q. Is he a person whom you have declared as unfit and unworthy to be a judge?—A. No, sir; not personally.

Q. State whether you classed him in with Whipper and Moses.—A. No, sir; I excepted him from the class of men in which I put Whipper and Moses.

Q. Did you put him just a little better than they?—A. Yes, sir; a great deal better.

Q. Did you say he was not competent to be a judge?—A. I do not think he is a remarkably competent man, but an honest, straightforward man, as far as I know.

Q. A weak man, is he not?—A. No, sir; not a weak man, but he is not a very great lawyer, yet a very honest man, and a man who has been solicitor there for eight years. It is very easy to get statements of

persons who do not know anything about this affair to that effect. Judge Maher had not been in the State for three months; he had just got home, and he did not know of any disturbance. The chief-justice had been over in Sumter, and he did not know of anything; and Judge Mackey was up at Chester, and he did not know anything of it.

Q. It seems that none of them knew it except this one?—A. Well, he was the one to know something about it.

By Mr. CHRISTIANCY :

Q. It was in his circuit there?—A. Yes, sir.

By Mr. MERRIMON :

Q. I ask your attention now to the subject of rifle-clubs; what is a rifle-club?—A. Well, sir, I suppose a rifle-club here in South Carolina consists of about fifty or sixty white men, organized under that name, and choosing their military officers and agreeing to be governed by the orders of those officers, to meet whenever they are summoned, and to procure arms and to act whenever called upon as a rifle-club; virtually a military organization. My information was that they numbered from forty to eighty members; fifty or sixty was about the average number.

Q. Do you make any distinction between rifle-clubs and democratic clubs?—A. O, yes, sir; several gentlemen wrote me after my proclamation against the rifle-clubs to know whether I embraced organizations that were simply for the purpose of promoting political objects in the usual way, political clubs; and I invariably told them that I had no objection, of course, to those organizations.

Q. Do you mean to tell the committee that the three hundred and over rifle-clubs that you have referred to in your testimony were all organized in the way that you have described?—A. Well, I do not know of any exceptions, Mr. Merrimon; that is my information, and that is my belief.

Q. Do you mean to say that they were all organized for political purposes?—A. I cannot tell what they were originally organized for; but they were generally used for political purposes, and in all the meetings that I attended these very clubs were the democratic force of the county.

Q. Well, were the clubs that you met there at Edgefield and at Aiken and elsewhere, as you have described, all rifle-clubs?—A. Yes, sir; I should say so.

Q. They were what you call rifle-clubs?—A. Yes, sir.

Q. How were they armed; did they have rifles?—A. No, sir; they were armed with pistols in those cases.

Q. Did they march and countermarch?—A. Yes, sir.

Q. Did you at any time contribute to the organization of a rifle-club?—A. Not a rifle-club in the sense that I have described them. I may have contributed on the occasion of the festival that I spoke of, for the purpose of practicing in target-shooting; but, as I said, that affair was entirely social, so represented to me, and it so appeared. That was long before the commencement of these difficulties, away back in 1875.

Q. When did those rifle-clubs begin to exist in such large numbers; when were they first called rifle-clubs?—A. In Edgefield County, in the winter of 1874 and 1875, I first heard of them under that name; and there were quite a number of those organizations said to exist there. They professed to be well armed with breach-loading rifles, and they called it an organization for home protection against the colored militia; and it was with reference to that condition of affairs that I called in the

militia arms, as I have described. That was my first knowledge of their organization. It was not at all concealed then that they were organized as rifle-clubs and armed.

Q. But it was not pretended then that they were for political purposes, was it?—A. No, sir; there was no political canvass going on at that time. Afterward, when this last campaign began to come on, in July and August, I heard of their springing up in all parts of the State, and the result is as I have presented it to the committee. According to the information that I have received, that is only a small part of the number of rifle-clubs. I do not submit that as by any means a full roll of those organizations. My own belief is that there are more than five hundred of them in the State; but the parties were not able, in many cases, as they stated to me, to get full information. Besides, there is one county there that is reported without, where there is said to be a rifle-club in every township; but they could not get the names of the officers.

Q. Let me ask you then, again, treating these organizations as you have described them, and that they were organized with the objects that you have attributed to them, and as being illegal and prohibited by law, as you proclaimed in your proclamation of the 7th of September—I ask you whether you have instituted any legal proceedings at all for the purpose of holding them responsible as a riotous body, and of ascertaining their real organization?—A. I thought that the fairest way in which I could treat them was to issue a proclamation making known to them, if they had not known it before, that they were an illegal organization and requiring them to disband.

Q. Answer my question, if you please.—A. No, sir.

Q. Never, at any time?—A. No, sir; I did not; for the reason, among others, that there would not have been time to have made any judicial proceedings effective before the injury would have been done that I supposed was intended to be done.

Q. Let us see how that is. There were rifle-clubs in Richland County?—A. Yes, sir.

Q. At the capital of the State?—A. Yes, sir.

Q. While I think of it, I want to ask you whether or not, at the time of this Hamburg disturbance, and at the Ellenton riot, there were United States troops in the State?—A. Yes, sir; there have always been troops here in Columbia since 1868.

Q. Were there troops at Aiken at the time?—A. At the time of the Hamburg riot?

Q. The Ellenton riot.—A. Yes, sir; I think there were.

Q. And at Hamburg also?—A. Yes, sir.

Q. And here?—A. Here there have always been troops.

Q. And at Charleston?—A. Yes, sir.

Q. And at other points?—A. No, sir; I think those were the only points.

Q. I ask whether it would not have been practicable for you to have instituted an investigation for the purpose of ascertaining the character of those rifle-clubs before you issued your proclamation ordering them to disband?—A. I issued that proclamation as a preliminary step.

Q. Is it a preliminary step to apply for troops and put the State under martial law?—A. I thought I had sufficient information to justify and require me to issue that proclamation. I could have done other things, but I did not think they were necessary, and I must say that I do not now.

Q. Your view, then, of your duty as governor is that, without waiting

to see what you could do with your own State authorities, you should apply, if you happened to get scared, to the President for troops to protect you as governor?—A. No, sir; that is not my idea at all; that was not my thought at all.

Q. I will ask you whether or not the white people or the democrats were anxious to address the colored people in the last campaign?—A. I do not know whether they were or not.

Q. Did they seem to be?—A. Well, they seemed to be anxious, Mr. Merrimon, to prevent us from addressing them; that was clear, and I presume that in connection with that, if they could prevent us from speaking to them and they speak to them, they were anxious to do so.

Q. The white people were all politically one way, were they?—A. Yes, sir; but I think a pretty large number of them would have been glad to have gone in another direction if they had dared to, and I think they would still.

Q. Do you not know that it was their object to induce the negroes, by argumentative and fair electioneering, to vote the democratic ticket?—A. I do not doubt that they would be glad to induce them to vote the democratic ticket, but that they expected to or considered that an essential part of their campaign I do not believe; they wanted to scare them.

Q. You state that there was a general state of terrorism, and that the effect of that was the driving of the negroes into the swamps and preventing them from assembling at public meetings, and the preventing of the leading men in the republican party from addressing them?—A. I said that was the case, particularly in those counties that were adjacent to Ellenton—the three counties of Barnwell, Aiken, and Edgefield. It prevailed, however, to a considerable extent, in other counties.

Q. Let me ask you this question: Whether the republican ticket did not get as large a vote in Aiken as it ever received at this late election?—A. Yes, sir; it had a vote, I believe, that was about the same as they polled two years ago; but still there was a very large margin of voters that did not come out.

Q. How much did they lack of voting up to the census?—A. I do not remember just how much; but in Aiken County the voters were largely protected on election-day by the military.

Q. Well, I will ask you, then, about Barnwell; whether there the republicans did not get their full vote?—A. I think not.

Q. How much did they lack?—A. I cannot give you the figures. If you have the tables they will show you.

Q. If intimidation was carried on to such an extent as you say, and the republicans were afraid to vote, I will ask you how it was that your majority was more than ten thousand over that which any other republican candidate ever received in the State?—A. You are mistaken about that, sir.

Q. No, sir; I am not unless your statistics are false.—A. No, sir; you are mistaken upon the statistics.

Q. It may be that you do not understand me. How is it that the republican vote for governor at the late election was more than ten thousand greater than it ever was before in this State?—A. That is not the fact, sir, as I understand it.

Q. The tables show it.—A. No, sir; the tables may show that, but it is not correct. In my former election I received eighty-five thousand, and in this election I did not receive but ninety-one thousand. What you mean, probably, is that I received ten thousand in this last election more than I did in the previous election. This is accounted for, as far as my

vote is concerned, by the fact that two years before the republicans were divided, whereas in the last campaign the candidates on both sides were straight out—democrats and republicans.

Q. Do you remember the census of the colored voting population in your State?—A. I think it is one hundred and fourteen thousand.

Q. How many votes did you get?—A. I got about ninety-one thousand.

Q. Do you know whether any negroes voted for Hampton?—A. I believe there were a few, sir.

Q. How many?—A. Perhaps three thousand.

Q. Is that mere speculation?—A. Well, no, sir; not altogether speculation; it is the result of inquiry and canvassing on the part of the members of the republican party who were interested in the question.

By Mr. CHRISTIANCY:

Q. But personally you do not profess to know positively that?—A. O, no, sir; it would be impossible for me to know.

By Mr. MERRIMON:

Q. Well, I will ask you whether there was not a very large republican vote at all events, and how you account for that in view of that vast system of organized intimidation that you have described to the committee; what explanation can you give of it?—A. There was a remarkably full vote, and there was a great interest felt in the campaign, and the republican party as a party was entirely united. Two years ago, as I was going to explain, Judge Green carried, I think, four of the strongest republican or colored counties in the State; he carried Charleston and his own county of Sumter; and Colleton and Georgetown were largely affected by Judge Green's vote; the republican vote was greatly reduced in that election.

Q. How do you account for the immense vote you got in Beaufort at the last election?—A. Well, sir, a good many voters probably have never come out in that county before; it has been all one way and there has been nothing to call them out very fully. This year it was understood that the upper counties would be very close and there was a special effort, and hence a full vote in the lower counties.

Q. How do you explain the immense vote you got in Charleston?—A. I do not know that there is any need of explanation, except that it is a legitimate republican vote, is it not, sir?

Q. Not according to the census and prior votes in Charleston County.—A. You must remember that in Charleston in 1874, in my former canvass, Judge Green ran distinctly as a republican, and proclaimed himself as a republican, and in the county of Charleston they elected their county ticket, and they polled a large majority against me in that county. I think they carried that county by three thousand votes against me.

Q. But this vote is seven thousand over them both?—A. More than the whole vote?

Q. Yes, sir.—A. No; I think not, Mr. Merrimon.

Q. Well, the statistics show it.—A. I do not understand that I got any more than the legitimate republican vote in Charleston County at the last election.

Q. If it was, say, seven thousand votes greater than the aggregate vote in 1874, would you regard that as legitimate?—A. That would depend upon how many legitimate voters there were in Charleston, and I do not understand that the votes which I received were in excess of the census of Charleston County.

Q. Who appointed the census-takers in 1875?—A. The governor.

Q. Did you do it?—A. Yes, sir.

Q. Do you know whether any white companies organized under your militia law and asked the governor to recognize them, as colored companies had been recognized, as parts of the militia?—A. I do not know; I think there were none at all.

Q. Was it competent for them to have done so?—A. Yes, sir, if they had joined the militia and been subject to the orders of the commander-in-chief like other military organizations; but I do not think that they have been refused. I have certainly been informed by both my predecessors that such a thing never occurred.

Q. Would it have been competent under your laws to have organized them into white regiments and brigades so as to have gotten over this color difficulty?—A. No, sir; I do not see any way of getting over it. The general officers must have been the general officers of all the militia. I do not know any way in which I could appoint white general officers for white troops, and colored for colored.

Q. Did you make any effort to induce the white people to join?—A. No, sir; I always let the militia quietly alone during my term of office. I meddled with it in only one instance, and, as I explained, in Edgefield. I regarded the militia organization as unfortunate, and did just as little with it as I could.

Q. Has your militia organization any existence in point of law now?—A. I know nothing to the contrary.

Q. Are you adverting now to the act of 1874 requiring them to be re-organized?—A. Yes, sir.

Q. Were they re-organized?—A. I do not know whether the militia were completely re-organized or not. I have paid as little attention to that subject as to anything else in connection with my duties as governor, because I thought it best to let it alone.

Q. Do you know what number of arms are in the hands of the militia of the State?—A. Not exactly. I think that the documents that I have submitted there state the number that have been issued to all the militia. You must remember that a large number of State arms are in the hands of those white rifle-clubs still.

Q. How many of them are there? The evidence here shows that there are very few of them, such as you describe.—A. No, sir; there are a good many in Charleston, and there is one company here that still has arms from the State. When my proclamation was issued the commander of this Richland rifle-club informed me that he had disbanded the company and that the arms had been taken possession of by the individual members of the club, and he told me that he would use his personal influence to have them returned; but there has never been one of them returned. It is largely so in Charleston.

Q. Did you disarm these regular organized companies by that proclamation?—A. Yes, sir.

Q. Were their arms taken from them?—A. Wherever they had State arms I gave them notice that they must be returned; where they had private arms I had nothing to do with disarming them.

Q. Did you require the colored militia to disband?—A. No, sir; because they were legally organized.

Q. Were not those rifle-clubs that you spoke of legal organizations?—A. I do not think they were; I think those charters they were organized under were mere licenses and privileges.

Q. Were not those charters in force?—A. I think not; I think they had been repealed. The clause under which they were chartered was repealed by the act of 1874, which prohibited any organization of any

sort or kind in the State, except those authorized by that act; and I will say, also, that there were but comparatively few that had charters of any kind.

Q. Did you disarm some of them?—A. O, no; I did not disarm any rifle-clubs except those that had State arms, and there were only, say, twelve or fifteen of them; and they did not return them in point of fact.

Q. None of them?—A. I do not know but what a very few were returned in Charleston. I do not suppose that twenty-five State arms were returned in all.

Q. You were informed that a box of arms had been seized at Newberry, of which you have spoken. Did you send any gentleman up there to look into the matter?—A. No, sir.

Q. Did you institute any inquiry in the adjutant-general's office?—A. I did.

Q. Or at the capitol?—A. I did send for the attorney-general and for the adjutant-general and for his clerk, and I asked them what those arms were, and they told me that they did not know; but they had understood and believed they were part of some arms that had been issued to Mr. Crouse, as I have stated before.

Q. Did you understand that they purported to be shipped by a negro at Columbia to a negro in Laurens, and addressed to him at Newberry?—A. I think so, sir.

Q. And that there were surreptitious marks upon the box?—A. I heard that they were marked "Shoemakers' tools," or something of that sort.

Q. You did not send anybody to look into it?—A. No, sir; I did not think it was a very important matter. Not a very great number of arms any way; not enough to alarm a brave people.

Q. At the time that you were inaugurated as governor, you have told us you made an inaugural address?—A. At which inauguration—1874?

Q. Eighteen hundred and seventy-four—yes, sir.—A. Certainly, I did.

Q. In which you foreshadowed a line of reform in the State government?—A. Yes, sir.

Q. Did the white people rally to your support at that time?—A. Very generally, they did.

Q. Did they manifest a disposition to sustain you?—A. Yes, sir.

Q. I ask you whether that produced a wide breach between you and leading public men in the republican party?—A. My policy produced a considerable breach between me and some of the members of the republican party. I do not know that the fact that the white people supported me was the cause.

Q. There was a wide breach between you and them?—A. As a matter of fact, there was.

Q. You were denounced by them publicly, and in their papers?—A. Yes, sir.

Q. At the late nominating convention in this State, I ask you whether it was very boisterous?—A. No, sir; it was very quiet.

Q. I ask you whether a man named Elliott, who claims now to be your attorney-general, made a speech against you in the nominating convention?—A. Yes, sir.

Q. I ask you whether he denounced you at that time, holding papers in his hands which he declared would destroy you, but that he would not produce them, for, if he did, it would ruin the republican party?—A. He has denied that repeatedly. He did not state anything of the kind. He has assured me repeatedly, and has published a card to that

effect, that he did not say anything of that kind. He opposed my nomination, I may say, violently; that is, he made as strong a speech as he could against it, and in the course of his remarks he said that he had been informed by friends of mine that I was going to be nominated any way, no matter whether he approved of it or not. The democratic papers reported that he stated that he could prove me guilty of thieving, and all that sort of thing.

Q. What sort of a speech did you make in reply to his?—A. I made a calm, deliberate speech, and was as quiet as I am at this moment. I replied to the objections that had been made to me personally, and I replied to some statements that had been made. I made a brief and very moderate speech, not advocating my own nomination.

Q. Who composed the ticket nominated there for your officers?—A. Do you wish me to give the names?

Q. Yes, if you please?—A. I was nominated for governor; Mr. Gleaves for lieutenant-governor, and Mr. Cardozo for State treasurer, and Mr. Elliott for attorney-general, and Mr. Dunn for comptroller-general, and Mr. Hayne for secretary of state; Mr. Tolbert, for superintendent of education, and Mr. Kennedy as adjutant and inspector general. I think that is the State ticket in full.

Q. Were any of the persons on that ticket persons who had opposed you and your administration, and had denounced you from time to time; any persons whom you had distrusted yourself?—A. There were two persons upon the ticket who had opposed some features of my administration; but they had always claimed to be in favor of my general policy of retrenchment and reduction of taxes, &c.; but, upon some measures growing chiefly out of the election of Whipper and Moses, Mr. Dunn and Mr. Elliott had been opposed to me. They did not think that I ought to be renominated; they did not think that I was sufficiently faithful to the republican party; that was the ground upon which they put it.

Q. Had you distrusted those two men, Elliott and Dunn, and classed them with Whipper and Moses?—A. No, sir; I never have classed them with Whipper and Moses at all. Mr. Dunn had nothing to do with their election, and I should not have had any occasion to class him with Whipper and Moses. Mr. Elliott was a defender of the election of Mr. Whipper, and it was upon that measure that I disagreed with him entirely and opposed him, and I may say, perhaps, that I denounced his action upon that occasion; but it went no further; I never charged Mr. Elliott with being a dishonest man, or with being a man who was unworthy of public confidence. There were a great many good men that voted for Whipper and Moses.

Q. Did you write a letter to Judge Mackey expressing regret about the nomination of Dunn and Elliott?—A. Well, I have heard that Judge Mackey so stated and published such a letter. I think very likely I did express regret at their nomination; it was a private letter; I have not read the letter.

Q. I ask you how long it was after your nomination before you accepted that nomination?—A. Fifteen minutes—or five, perhaps; just as soon as the committee came into the anteroom where I was waiting.

Q. You accepted the nomination?—A. Certainly.

Q. Did you go before the convention and make a speech?—A. I made my formal speech before the convention, accepting it, the next morning. It was very late at the time I was nominated, and they desired to adjourn, and it was suggested that I would appear in the convention and formally accept the nomination the next morning. I should not have

been a candidate for the nomination if there had been any doubt in my own mind as to whether I ought to accept it or not. I know to what you refer, and I say that subsequently, when the ticket was made up as it was, it was brought to my attention whether I would remain upon the ticket, and I was talked to by some republicans about it who thought that perhaps it was a question whether I should remain upon the ticket; but it never was a question with me. There has been a very popular delusion upon the subject. I considered it my duty to stand by the republican party, because I saw the attitude of the democracy. I felt entirely justified in accepting some acts that were done by the republicans, and not breaking with the party, which I would have dealt with differently in different times. In other words, the attitude of the democratic party forced upon me the conviction that duty and necessity compelled me to associate with some men whom I should have been very glad to cast off.

Q. I will ask you whether there has been much lawlessness and violence in your State?—A. Yes, sir.

Q. I will ask you, then, whether the offenders have been regularly brought to justice according to the constitution and laws of the State?—A. Yes, sir. In ordinary times I think that offenders, except those who are guilty of homicide, are generally punished rigidly and promptly in this State. There has been a lamentable unwillingness to convict of capital offenses here, especially when the parties were of good standing in society and the homicides grew out of any personal difficulty. That is characteristic, however, perhaps of a large part of the southern country.

Q. In the public interest, I ask you how you expect to remedy those evils—this lawlessness; whether you expect always to be sustained here by the Army?—A. Now, that is pure speculation.

Q. It is a serious question, and we have got to talk about it and have got to meet it, because this state of things cannot go on always.—A. I think it is a very serious question. I will answer that as well as I can. I do not know what is to be done. Here is a contested election—two men claim to be governor, and I do not know how it is to be settled. It seems to me that if you in Washington can determine and take such action as to reach a conclusion as to who is the legitimate governor, they will be willing to submit to that decision; but whether they will submit or not, I do not know. It depends whether there is patriotism enough in the leaders, I suppose. It is known here that those who voted for the Hampton government say that they will never recognize any one as governor except Hampton; that no earthly power can make them do it. If they maintain that attitude, I do not know how it will be. If the decision was made by an impartial tribunal, such as the Senate of the United States, doubtless—

Q. But the Senate cannot do that alone?—A. I suppose that question will arise, for instance, when General Butler and Mr. Corbin present themselves for admission. You will have to look into that matter, will you not?

Mr. MERRIMON. No, sir; only incidentally there.

By Mr. CHRISTIANCY:

Q. You were asked by Mr. Merrimon whether you took legal proceedings against those rifle-clubs, and you answered that you did not, because there was not time; now I am talking to you as a lawyer, whether at the time when you issued that proclamation there could have been any judicial litigation, such as usually accompanies ques-

tions of that kind to dissolve corporations, had in time to produce any remedy at all?—A. No, sir; certainly not.

Q. I will ask you if you know of any legal proceedings for testing a question of the right of a corporation, such as these rifle-clubs pretend to be, other than a proceeding in the nature of a *quo warranto*?—A. No, sir; our code provides for a proceeding in that nature, an action in the nature of a *quo warranto*.

Q. As to the other clubs which are merely voluntary, those rifle-clubs so called, there was no authority of law for them, I suppose?—A. No, sir.

Q. And no legal proceedings necessary to be instituted in such a case?—A. No, sir; they did not claim to have quarters.

By Mr. CAMERON :

Q. Senator Merrimon asked you, governor, if great lawlessness and violence had not existed in the State, and you answered that unfortunately it had. The next question naturally would be why you had not prevented that, suppressed it. You can give any explanation that you desire to give, if you desire to give any, in regard to that.—A. The reason is simply that we had no physical power that was equal to it. To send out a warrant issued by a trial-justice, with a colored posse, would be utterly impracticable and utterly idle in the state of society in which we have been for the last four or five months. If I were to go through it again, I should not make the attempt in that direction, and I do not think it ought to be made. We were in such a condition here that some power that was higher than the State authorities had to intervene to enforce the laws at all, except so far as the people chose to obey them.

Q. Suppose you had called out the colored militia for the purpose of suppressing those riots, what would have been the probable effect?—A. That was frequently urged upon and suggested to me, but I think no one who is familiar with the state of affairs here would have any doubt that that would have produced a collision of the two races and bloodshed, and that it would have tended directly away from the preservation of the public peace. I regarded that as the very opposite of a proper step for the preservation of the public peace. I never once thought seriously of calling out the colored militia.

By Mr. MERRIMON :

Q. You never once thought of calling upon the white men to help you?—A. O, no, sir; I have expressed myself in a paper, that I suppose is before you now, on that subject.

Q. If these rifle-clubs that you have spoken of were without charters, were illegal, as you have stated in your proclamation, were they not riotous bodies?—A. Well, they were riotous if they engaged in riotous acts.

Q. You have described to us that they did do it?—A. Yes, sir.

Q. Could you not have had them arrested in your own county, and gone into a judicial investigation of it and made it manifest?—A. We might possibly here in Richland County have done that.

Q. If you had gone into a judicial investigation, could you not have in that way ascertained the purpose and character of those organizations?—A. I do not know whether that could have been done in an ordinary investigation into riotous conduct or not.

Q. If these bodies were riotous, I ask you whether a trial-justice could not have issued his warrant and have brought the captain or such mem-

ber of them as he pleased before him?—A. If the captain and other members could be charged with riotous conduct, they could be arrested.

Q. Well, they were chargeable, if the facts are true as you have described.—A. Down in Barnwell and Edgefield and Aiken Counties they were.

Q. Could you not have taken those men, half a dozen of them, before a trial-justice, and upon that trial gotten at all the facts connected with their organization and purpose?—A. I do not think so, sir; I do not think that we could have gotten any more information than we have now by such proceeding. I do not think that they would have given evidence against themselves.

Q. Do you think they would not have sworn to the truth?—A. Well, I think they would have declined to have sworn to anything that would criminate themselves.

Q. You have said that this lawlessness, &c., has existed to a very great extent, to a deplorable extent. I ask you, sir, whether in any case where efforts have been made to bring the parties to justice there has been any resistance to the constituted authorities?—A. Do you mean at any time in the State?

Q. I mean in the last year or so.—A. Nothing general, that I know of; no resistance to judicial process generally. There have been individual cases where parties have refused to be arrested.

Q. Why have not the courts attended to those?—A. In what cases?

Q. The Ellenton riots, and the Hamburg riots, and all the disturbances you have had.—A. Well, the courts have taken cognizance of the Hamburg rioters.

Q. But they have done nothing?—A. There are various reasons, such as are set forth, which seem to be sufficient why they have not been brought to trial.

Q. They have taken no action at all about the Ellenton riot?—A. I do not know whether they have; it is not very likely that action would be taken while those cases were pending in the United States court.

Q. Has anything been done in the United States courts?—A. Proceedings have been instituted there, but for sufficient cause they were not brought to trial at the last term.

Q. I ask you whether there has been in your State, in the last six months, a practical abdication of government on the part of the authorities of the State?—A. Well, I would hardly want to state that there has been a practical abdication of the government. There has been a great lack of enforcement of the law in places; but I do not know—for instance, in Charleston County and in that part of the State things go along pretty smoothly; there is a good deal of excitement, but the courts are held regularly.

By Mr. CHRISTIANCY:

Q. I want to put one question to you, which is rather an abstract question, but which you may be able to give as intelligent an opinion upon as upon some of the questions propounded by Senator Merrimon. Might not a warrant have been given to a constable for him to arrest General Sherman and his army when passing through this State, and if so, do you think the constable could have made the arrest?—A. Yes, sir; I have no doubt that a warrant could have been obtained, and I have just as little doubt that it would never have been served upon General Sherman and his army; and I have just as little doubt about a warrant being served upon the leaders of the rifle clubs-down there while they were engaged in those acts.

D. T. CORBIN.

COLUMBIA, S. C., *January 6, 1877.*

D. T. CORBIN sworn and examined.

By Mr. CAMERON :

Question. Where do you reside ?—Answer. In the city of Charleston.

Q. How long have you resided in the State of South Carolina ?—A. Since January, 1866.

Q. What office, if any, do you now hold ?—A. I am United States district attorney for this district—the State of South Carolina.

Q. It has been stated by various witnesses that some time last fall, perhaps in October, you went into the county of Aiken, and under your direction a great many citizens of that and perhaps some of the adjoining counties were arrested. It has been said that you arrested none or caused to be arrested none except democrats. Will you please state what you went down there for and what you did ?—A. About the first of October I was informed by telegram from Governor Chamberlain that a serious disturbance had occurred in Aiken County, and that he desired me to return home and look into it. I was then in the North. I returned accordingly, and went to Aiken County about the 2d of October, and spent several days at Aiken.

By Mr. MERRIMON :

Q. State how many days, if you please.—A. It is my impression that I was there three or four days on the first visit. I examined a large number of witnesses under oath that I found in Aiken Village, and that I sent for, and I became satisfied that very serious crimes had been committed by the white democrats in that county against the colored republicans. I found that a large number of persons had been murdered, and that threats of violence were almost universal throughout the county. I took a large number of affidavits, and on my return to Columbia I informed Governor Chamberlain particularly of the condition of affairs in that county. I wrote him a letter about that time, which he published, stating what condition I found affairs in in that county. I then, immediately upon the affidavits which I had taken and others which I procured, caused a large number of warrants to be issued by the United States commissioner (Mr. Boozer, of this city) for the arrest of the persons charged with these crimes. Those warrants were sent down to Aiken to be served, and an appointment was made with the commissioner to meet me at Aiken for the investigation of the parties who were directed to be arrested. About the 10th or 12th of October I went to Aiken with the commissioner, and on my arrival there found that the deputy marshals had arrested some twenty-five or thirty of these parties and held them there to await examination. I met there, as counsel for the prisoners, General James Conner, Mr. Leroy Youmans, and Mr. Gary, of Augusta, Georgia, and another young lawyer of Aiken, whose name I cannot now remember. Those gentlemen came to see me and inquired what course the prosecutions were to take. I told them that I was ready to proceed with the examination in the usual way and would do so at once. Those gentlemen had a conference, and, as the result of that conference, General Conner stated to me that they had concluded to waive an examination and give bail for the appearance of the prisoners before the United States court. I told him then that of course they had a right to adopt that course if they chose to do so, but that I regretted it some-

what, because in the large number of arrests which I proposed to make it would be very remarkable if some mistakes were not made—some persons arrested whom we might not care to bring to trial; and that if an examination was had I should be able to sort out those individuals, and probably would not ask that they be bound over for trial at the next term of court. He said, “Well, that cannot be helped;” that they had decided not to go into the examination; that they should waive an examination, and ask that the defendants might all be bound over for their appearance at court. We thereupon fixed by agreement the amount of bail that should be given. In ordinary cases, it was fixed at \$2,000; I reserving the right, in extraordinary cases, of insisting upon a larger or a different sum. Notwithstanding the defense had waived the examination, I conceived it to be my duty as district attorney to proceed and make a careful investigation of the crimes that were charged to have been committed; but I could not do so publicly, because all the defendants waived their examination. I, however, had the commissioner summon the witnesses, and I proceeded to make an examination, and examined some three hundred. Their testimony was taken in full by a stenographer whom I employed for the purpose, and as I proceeded with the examination I caused further arrests to be made, and a large number of warrants were issued. I think that the testimony taken before me involved some five hundred citizens of Aiken County and Edgefield, and the adjoining county of Barnwell. The marshals had succeeded, prior to the election, in arresting about eighty-six or eighty-seven, I am not precise about the number, and I think some few additional arrests have been made since the election, and the warrants are now issued and in the hands of the marshals for the arrest of some three hundred more.

I have proceeded in these examinations precisely as I would proceed in any other examination. Of course I did not call the defendants themselves to testify in their own cases; that is neither the law nor the practice in United States courts. I only called witnesses whose testimony would tend to convict the prisoners, or to throw light upon the offenses charged against them. I summoned everybody, except the defendants themselves, that I thought knew anything about it. Some of them were white and some of them were colored; but the great majority of witnesses were colored. They were the persons against whom the crimes were alleged to have been committed. The offenses particularly charged are such as are provided against in the general statutes of the United States, sections 5508 and 5520, as I recollect them; offenses against the free exercise of the right of suffrage by citizens of African descent, and against their right to vote or give support to the election of candidates for members of Congress and for electors for President and Vice-President of the United States. The question of race or color is not involved in the latter class of offenses, but is in the former.

By Mr. CAMERON :

Q. Has a term of the United States circuit court been held since you made those examinations, and since the arrests were made?—A. Yes, sir; there has been one term held, which commenced on the fourth Monday in November. At that term of court it was intended to try these cases. I had filed informations, as I conceived under the statute I had a right to do, against some of these parties, and was proceeding to file informations against all of them. The defense, however, objected to the informations, and moved to quash them on the ground that I should

have proceeded by indictment instead of by information. The court heard full argument upon that question, and decided that I should have proceeded by indictment, and, therefore, quashed the informations. At the time that the argument was heard the grand jury had been discharged, and, therefore, it was impossible to proceed further with the prosecutions at this last term, and they have all been continued over to the next term, greatly to my regret. As it has been said that I have acted oppressively in these prosecutions, I should like very much to submit to this committee the record of all the testimony which I took, (which I have,) and which, I think, vindicates my action in this whole matter. That testimony is at the service of the committee.

By Mr. MERRIMON:

Q. That is all *ex parte*, is it not?—A. It is nearly all *ex parte*. It was taken, as I have indicated, in the preparation of these causes for trial, and is the foundation of the warrants which were issued for the arrest of these parties. I should state here, perhaps, that the investigation was conducted in an open office which I obtained in Aiken, and from which I excluded nobody. The attorneys for the defense were sometimes present, whenever they wished to be, but they took no part in it. They knew perfectly what was going on. One of the attorneys for the defense said that they had waived examination before the commissioner so as to prevent the testimony which I was then getting from being made public and being used in the campaign.

By Mr. CAMERON:

Q. Colonel Haskell brought before the committee a letter written by you to Governor Chamberlain, in which you state, among other things, that the civil arm of the government in that county (Aiken) was as powerless as the wind to prevent these atrocities; and that the sheriff of the county dare not attempt to arrest the perpetrators of these crimes for fear of his own life being taken. Colonel Haskell at the same time brought to the attention of the committee letters or communications written by quite a number of judges and other distinguished citizens of the State, in which the statements made by you in the letters to which I have referred are substantially denied. I ask you now to explain to the committee upon what you founded your opinion as expressed in that letter to Governor Chamberlain?—A. I founded that opinion upon the facts that I learned from the affidavits of the witnesses that I examined at Aiken, and also from the statements of the military officers, particularly Captain Mills, who was then commanding the post at Aiken.

Q. You may state the communications made to you by that captain.—A. Captain Mills informed me, on my arrival in Aiken, that the sheriff of that county, Mr. Jordan, had applied to him for assistance to make arrests and to suppress the disturbances that had occurred; and he told me that he informed Sheriff Jordau that he could not give him any such assistance until he had made some effort himself, with such posse as he was able to get, in attempting to suppress those disturbances. Sheriff Jordan said that he could get no white posse to aid him at all.

(Mr. Merrimon objects to the testimony in reference to what Sheriff Jordan said. Objection overruled.)

The WITNESS. Sheriff Jordan stated that he could not get a posse of white men to assist him in enforcing the laws. The white men were all on the other side, that is, on the side of the law-breakers; and he also stated that the colored men were utterly unavailable, because they would be killed if he attempted to use them for such a purpose. Cap-

tain Mills still refused to send any troops, because he thought his orders did not justify it, although Sheriff Jordan assured him that he was utterly powerless to do anything toward the suppression of these troubles. Mr. Chatfield Cooper, of Highland Park, also informed me that Sheriff Jordan had told him that he could not do anything toward suppressing these troubles; that his life would not be safe if he attempted it, and therefore he did not. I also examined one man whom the sheriff called upon to assist him during the Ellenton riots. He did finally call upon a few men to go with him down to Ellenton, and some four or five men did go; but those gentlemen who went with him told me that the sheriff did not get within five or six miles of the troubles; he avoided doing so, and was no nearer at any time to Rouse's Bridge, where the troubles culminated, than five or six miles. From these various sources, and then from my own observations of the condition of affairs, I was satisfied that the sheriff was utterly powerless. I also had a conversation with Judge Wiggin, of that circuit, who told me that the sheriff was utterly powerless, and that the civil arm of the Government was also utterly powerless there.

By Mr. CHRISTIANCY :

Q. This information, together with the affidavits you have taken in those cases, was the information that you acted upon when you wrote that letter to Governor Chamberlain ?—A. Yes, sir ; precisely.

Q. And that was before Governor Chamberlain's proclamation and the call for troops ?—A. Yes, sir.

By Mr. CAMERON :

Q. Can you furnish us with a copy of the affidavits which you took ?

The WITNESS. I can, and I would be very happy to do so.

Mr. CAMERON. You may do so.

The WITNESS. If I may be allowed to say it, I am very anxious that the committee should accept those affidavits as my justification in the matter ; at least so far as they will go to show that I have acted properly in the matter.

Q. Colonel Haskell stated before this committee in substance—I do not pretend to quote his language—that at the time Governor Chamberlain issued his proclamation, there were no facts which justified it.

The WITNESS. Which proclamation do you refer to ?

Mr. CAMERON. The proclamation in which he declares that certain associations—I am not quite certain that he says they are in a state of insurrection, but that is the proclamation to which I refer. The affidavits taken by you constitute a portion of the testimony on which you founded your opinion ; and did they, or did they not constitute a portion of the testimony upon which Governor Chamberlain founded his opinion ?—A. They did. I gave a large portion of them to Governor Chamberlain, and that was the evidence upon which he acted.

Q. State whether Governor Chamberlain examined those affidavits, and whether to any extent he acted upon the facts contained in them.—

A. He did examine those affidavits, and he had my best judgment in the matter also, which was to the effect that democratic violence, entirely beyond the power of the civil authorities to suppress, existed in the counties of Edgefield, Aiken, and Barnwell. I am not certain, however, that his proclamation covered all those counties ; it did some of them.

Mr. CAMERON. Aiken and Barnwell seem to be the only two.

The WITNESS. I think my advice included Edgefield, as well ; that is my recollection now.

Q. What information had you at that time, or have you now, in reference to certain organizations or companies commonly called rifle-clubs?

Mr. MERRIMON. State what you know of your own knowledge, and not what you have heard.

A. I have no knowledge personally, except from the affidavits I took at Aiken of witnesses whom I examined there. Those affidavits will show what information came to me of that kind, and I can state, if the committee wish, what they will show; but perhaps it is not necessary.

Mr. CAMERON. No, I think it is not necessary.

By Mr. MERRIMON:

Q. You have told us that you are United States district attorney for the district of South Carolina?—A. Yes, sir.

Q. By what right or authority did Governor Chamberlain communicate with you after the Ellenton riots? Did you owe him any official allegiance, or have any official relations with him?—A. No, sir; I was only a personal friend and acquaintance of his. My relations with Governor Chamberlain have always been very friendly.

Q. Why did he apply to you and invoke your offices?—A. Well, sir, because he thought, as he informed me when I returned from the North, that offenses against the laws of the United States had been committed, and that he believed the United States Government was more efficient for the purpose of punishing those offenders and suppressing those troubles than the State government.

Q. Had he tried the State government at all?—A. I think he had, sir. I think that he had caused the arrest of a large number of persons and had had them bound over for trial before the State court at Aiken. I refer now particularly to the Hamburg murderers.

Q. Had he had anybody arrested on account of the Ellenton riots?—A. No, sir; O, no.

Q. Had the judge of that district or any trial-justice issued any warrants whatsoever?—A. Not to my knowledge.

Q. Had a single peace-officer sought to do his duty in that connection?—A. Nobody, unless it was the sheriff. He had gone, as I stated sometime ago, within five or six miles of the Ellenton troubles, but had kept away from them; and, as I am informed by Captain Mills, he stated that he could not get there, and could not do anything.

Q. Have you seen a statement from the sheriff himself directly the reverse of that?—A. Yes; I have seen a statement in a newspaper purporting to be his.

Q. [Handing witness a paper.] See if this is it.—A. I believe that is the statement that I saw made about the time that this purports to have been made.

Q. Then before the governor, or any State officer had taken any action whatsoever to bring any of the persons who had been guilty of crime in connection with the Ellenton riots to justice, he telegraphed to you, the United States district attorney, to come down and investigate the matter, and you went; is that the state of the case?—A. That is true of the Ellenton affair; yes, sir.

Q. He did nothing before you took action, and nothing after?—A. Now I will not say that he did nothing, because I am not certain what he did do.

Q. Did you ever hear him say that he did do anything?—A. I have heard him say, I think, that he did call upon the sheriff, this same

Sheriff Jordan, to go down and suppress those troubles, but that the sheriff had informed him that he could do nothing.

Q. Did he call out the military of the State to aid him in executing the civil processes under the laws of the State?—A. No, sir; he did not.

Q. Were the Federal troops here at that time so that he could have invoked their aid if need be?—A. There were some here, and some few at Aiken.

Q. At that very time?—A. Yes, sir; there were some there that came soon after the Hamburg troubles—a small company of twenty-five or thirty men.

Q. Were all the authorities in that county, the sheriff, the judge, and all, republicans?—A. Well, I think that most of them were republicans, or were once republicans. I think the sheriff was once a republican; it is doubtful about that now.

Q. How about the judge?—A. The judge is a republican.

Q. He is holding on yet?—A. O, yes, sir.

Q. Could he have issued a bench warrant and had these parties arrested, and had them brought to trial?—A. I think they might have been brought to trial. It is not called a bench-warrant exactly, but an affidavit could have been framed.

Q. At any rate, the judge could have issued his warrant?—A. Upon an affidavit he could have issued a warrant, and so could any magistrate.

Q. Then the State authorities have taken no steps whatever?—A. Not to my knowledge.

Q. They had taken no steps to bring anybody to justice?—A. I think not.

Q. And your aid was invoked as you have described. When you went down there as district attorney, which side of the political issue did you look to for witnesses?—A. Well, sir, I did not look upon the political issues as furnishing the ground of my action at all.

Q. Where did you go to find witnesses; to the colored people or the white?—A. I went right to the people who were being raided upon and murdered.

Q. Did you examine both sides?—A. Ordinarily, when a crime has been committed, I do not call the defendants to testify whether the crime has been committed or not. I call witnesses who have knowledge of the facts, and whose testimony would tend to convict the parties.

Q. How could you know who were the guilty parties until you had made a full examination?—A. I did make an inquiry.

Q. But it seems you made the inquiry on one side only?—A. Not entirely.

Q. What democrats, or white men, did you examine?—A. Well, sir, I examined a few of them.

Q. Give us their names.—A. Henry H. Colcock, a conductor on the Port Royal Railroad; John Conant who was a passenger on the Port Royal Railroad at Ellenton, at the time Simon Coker was killed. There are several others, but I would have to look through my list of witnesses to find them.

Q. I want to know how many democrats and white men you examined, and their names.—A. There is one other conductor on the Port Royal Railroad, a white man and a democrat.

Q. Is there more than one other?—A. I think those three are nearly all. I had conversations with others but I did not take their affidavits.

Q. You did not send for white men and examine them except those persons that you have mentioned?—A. No, sir.

Q. You did not send down into the locality where these riots had taken place and have the white men brought before you, in order that you might weigh all the testimony in your mind before you proceeded?—A. No, sir; I did not send for the white men, because the white men in that neighborhood were reported to me to be all guilty, and I thought from the examination that they were—all that were old enough and young enough.

Q. Do you not think that as a public officer you ought to have heard both sides?—A. I would have been perfectly willing to hear both sides, if they had offered themselves.

Q. You went down there, but you did not wait for the whites to offer themselves?—A. I went down there to see who committed the crimes.

Q. And you examined one side only?—A. I examined all the witnesses on one side who knew anything about it, except the defendants themselves.

Q. The persons you charge?—A. The persons I charge.

Q. Many of them were highly respectable citizens; men whom personally you would respect; and yet you did not invite one of them to be present in order that you might examine him as to his observations there?—A. Most all of those I brought before me upon a summons.

Q. The point I want to get at is simply the fact whether or not you sent for or examined any white men there except the three persons you have mentioned.—A. I do not think that I did as witnesses, because I did not know that they knew anything about it.

Q. You did not know that the others knew anything about it until you sent for them?—A. O, yes, I did.

Q. How did you know it?—A. The examination proceeded in this way: the first few witnesses that I called before me—I could mention Columbus Roundtree and Oresmus Kelley—gave me a very comprehensive view of the extent and nature of the crimes; and they also gave me the names of witnesses who could prove all the facts, identify the men, &c., and the particular acts that they were guilty of, and those men I sent for.

Q. State whether or not you did not know that a very large portion of that class of the population were unreliable and easily misled?—A. No, sir; I did not know that they were unreliable in this matter.

Q. You chose to believe them and did believe them?—A. I did; a very large portion of them. They are ignorant, and sometimes made mistakes, but I corrected their testimony by the testimony of others, and cross-examined them very carefully, as much so as I would have done in a court anywhere, with a view to learn the exact facts, and not to be deceived myself or deceive others.

Q. You arrested none but democrats, did you?—A. No, sir; I do not think I did.

Q. Did you arrest any negroes at all?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. Were there any others engaged in it except white folks?—A. There were three or four negroes.

By Mr. MERRIMON:

Q. Were they democrats?—A. Democrats who were with the column, and were guilty of some of the crimes that the white men were. One of them I remember is John Hankerson; and there were one or two others

who seemed to act as guides. Those men were arrested with others and bound over for trial.

Q. Is it customary for the district attorney to go out, as you went out on that occasion, when an important election is pending, and take the steps you did there?—A. Well, sir, I have done it once before.

Q. Is there any law of the United States that commands you to do it?—A. Well, sir, the law, as I understand it, governing the conduct of the district attorney is, that he has charge of all prosecutions for violations of the laws of the United States, and in important prosecutions the district attorney, may attend before the United States commissioner, for the purpose of conducting the examination. He may or he may not do so. He controls the prosecution whenever he attends, and it is my custom, and has been for the ten years during which I have been district attorney, that in all important cases, where there is a great deal of testimony involved, or the crime committed or charged has been very serious, to attend, if possible, and conduct the examination, and to satisfy myself as to the propriety of the prosecution; and on this occasion I went to Aiken and conducted the examination there, because I believed that very serious offenses had been committed, involving a great many persons, and that it was my duty to do so.

Q. You did not have the election in view at all?—A. Not the least, sir. I may say now that I did not intend to take any part in the election this fall. I had made every arrangement not to do so, and if these troubles had not occurred, I should not even have been in the State. A very painful family affliction occurred to me about the 20th of August. My wife died, North; and I had made arrangements to stay North until the fall. I had obtained leave of absence from the attorney-general for that purpose; but when these troubles occurred I was telegraphed for, and I was written to by friends here, saying that the disturbances were so serious that it was my duty, as district attorney, to come home and look after them; and I therefore did so. I took no part in the campaign after I got home; made no public speech during the conflict; and, in fact, did nothing in the campaign. I went to Aiken, investigated these troubles, and remained there during the whole campaign, except—

Q. How long were you there on the first occasion?—A. About three or four days, on the first occasion.

Q. How many witnesses did you have before you then?—A. About ten or twelve, I think.

Q. How long were you there the second time?—A. I staid there the second time from the 14th October, and conducted the examinations until the 15th of November, and remained there almost constantly.

Q. How many witnesses did you have?—A. About three hundred were examined.

Q. You bound the parties over to court—to appear, when?—A. On the fourth Monday of November, the 27th November, I think.

Q. You had investigated the whole matter, so that when the court came on here you were familiar with the whole matter?—A. I was very familiar with the whole business.

Q. State whether you experienced any difficulty in having those men arrested down there. Was there any resistance?—A. The only difficulty was in finding them. The marshals called upon the commander of the post at Aiken to furnish a few troops to accompany them, and they met with no difficulty then, except they did not find the men they were after.

Q. They were intimidated?—A. They went into the woods as though they were afraid; it is not an unusual thing.

Q. It looks like intimidation very much.—A. Some of them staid at home, like men.

Q. But there was no resistance to any authority?—A. No, sir; no forcible resistance.

Q. Did not a good many of them come up and enter into recognizances?—A. I think a considerable number of them did. The facts about that were these: The marshal went down to Ellenton, Rouse's Bridge, and Silverton, to make some arrests, but failed to find most of the people he was after; but he there met some gentlemen who were familiar with that part of the country, and they assured him that if he would give them the names of the parties that he desired to arrest, they would compel them to come up to Aiken, and save him the trouble of coming down there for them; and, also, that if these people could be allowed to select their time to come, and bring their bail, they would prefer to come rather than be forced to come on other occasions. The marshal therefore gave them the names of quite a number in that vicinity—I do not remember how many—for whom he had warrants and they all came up a few days after.

Q. In those cases why did you proceed by the extraordinary method of filing informations instead of the ordinary one of indictments?—A. I will explain it to you, and I am very glad you asked me the question. Section 1012 of the Revised Statutes provides that—

All crimes and offenses committed against the provisions of chapter 7, title "Crimes," which are not infamous, may be prosecuted either by indictment or by information filed by a district attorney.

Now chapter 7, title "Crimes," is the chapter providing the punishment for these offenses. Sections 5508 and 5520 occur in that chapter, and those are the sections which provide the punishment for those violations of law, and I believe that this section 1022 authorizes the proceeding by information, instead of by indictment. I thought it was very desirable to proceed in that way, rather than by indictments, because a great deal of time would be saved by it. That was the principal reason. Probably no grand jury in the world would go through and examine those two or three hundred witnesses that I had examined under oath, and refuse to find a bill. Of course you know that the proceeding before a grand jury is entirely *ex parte*. It would take two or three weeks for a grand jury to examine all those witnesses and find indictments, and I found that it would be a great saving of time and a great saving of expense, if the information would lie, instead of the indictment. I thought then, and I think now, notwithstanding the judgment of the court, that the information would lie. The court thought differently, and its judgment counts, and mine does not.

Q. Had it been common for you to use the proceeding by information in your court before that time?—A. Very common, sir. Over one hundred persons were tried at the last August term of the court on information, for infractions of the revenue-laws.

Q. Was it not quite as troublesome to bring the cases up before the judge on an information and proceed with a trial as to send it before the grand jury?—A. That is neither the law nor the practice in this State. The practice in proceeding by information is this: The district attorney, upon his own responsibility, upon his oath of office, brings in a formal complaint, which he calls an information, and which is drawn with all the accuracy of an indictment, but it is presented by the district attorney instead of the grand jury.

Q. The judge allows that in this State?—A. Yes, sir; that is the law

Q. How did it happen, if you had been proceeding in the district

court and circuit court by information heretofore, that the judge would not allow it in this case?—A. Well, sir, the judge in his decision placed it upon the ground that the crime of conspiracy, under this act, was an infamous crime; and, therefore, we should proceed by indictment. If he had held that this crime was not an infamous one, then he would have allowed the information to stand.

Q. Then could you not have proceeded against these persons for intimidation, but without the conspiracy?—A. No, sir; it is conspiracy in each instance.

Q. Suppose that a man by himself undertakes to intimidate John Smith, who is entitled to vote for electors for President and Vice-President, and also to vote for members of Congress; is he not indictable?—A. Section 5507, of this same chapter 7, does provide for the punishment of an individual; but the courts in this State have held that that section was void, and therefore no prosecutions can be conducted under it in this district. They have held that it was void for this reason; section 5507 provides that "Every person who prevents, hinders, controls, or intimidates another from exercising, or in exercising the right of suffrage to whom that right is guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery, or threats of depriving such persons of employment or occupation, or by ejecting such person from a rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, shall be punished as in the preceding section."

Now, the court has held in this circuit that the right of suffrage is not guaranteed by the fifteenth amendment. The supreme court has subsequently held to the same effect; and that is the only section in these statutes which punishes an individual for intimidation. The other sections, 5508 and 5520, are for the punishment of conspiracies.

Q. Passing from that, how long did you keep the grand jury here?—A. Well, I think three or four days, or a week; I do not remember exactly.

Q. You had all these cases before you and discharged all those in three or four days?—A. Yes, sir. I had other cases; revenue and post-office cases.

By Mr. CHRISTIANCY:

Q. You do not mean that you had these cases before the grand jury?—A. No, sir.

By Mr. MERRIMON:

Q. Why did you not detain the grand jury until you saw how these cases would be decided?—A. No question was made on the other side until after the grand jury were discharged.

Q. Did you send any bill before the grand jury at all?

The WITNESS. With reference to these cases?

Mr. MERRIMON. With reference to any cases.

A. O, yes, sir; revenue cases and post-office cases.

Q. Why did you not proceed with informations in these cases?—A. Post-office cases were felonious, and I could not proceed by information. I am not certain now whether my assistant took any revenue cases before the grand jury or not. I think not. I think all the cases that were sent before the grand jury were post-office cases.

Q. The men were here and were demanding a trial?—A. No, sir; they were not very anxious for a trial. They tried to get a postponement.

Q. Why did they want a postponement?—A. Well, I don't know. A great many of them and their attorneys came to me and asked that their cases might go over. I cannot say what motives were behind them.

Q. Who wanted you to continue his case?—A. Capt. George W. Croft for one. There was quite a large number, and I could not name them all. Mr. Gary, from Augusta, his attorney, came to me several times, and in the most earnest manner besought me to postpone his case.

Q. Have you prepared bills in these cases?—A. Well, there is no difference between an information and an indictment, except in the form of presenting it.

Q. You are going to send them in as indictments?—A. I will change them from informations to bills for indictments, and send them to the grand jury.

Q. You made a report to Governor Chamberlain of your observations down in that country?—A. I cannot say exactly that it was a report. I think if you will look at that letter, you will find how the letter came to be written.

MR. CHRISTIANCY. It does not purport to be a report.

THE WITNESS. No, sir; it is not in the form of a report. When I returned to Columbia the governor asked me if I would be willing to make a statement to him of the condition of things in Aiken County as I found them. I told him I had no hesitation whatever. I made a report to the attorney-general at the same time, and I wrote the governor a short letter, stating the condition of things as I found them.

Q. That was an unofficial statement you made to him?—A. O, entirely so.

By MR. MERRIMON :

Q. Can you say, from your knowledge of the law and the facts as you observed them and knew them at that time, that there was then a state of insurrection in existence at the time the governor made his proclamation for the suppression of the rifle clubs?—A. If I should be left to choose my own terms, I should say a state of domestic violence which he could not suppress.

Q. Were the courts open?—A. Well, the courts meet periodically.

Q. I mean they were not interrupted in their regular course, were they?—A. Perhaps I can explain myself upon that point better by referring to the fact that the court did meet in Aiken the first Monday in September for the trial of the Hamburg murderers. I was retained by the attorney-general of the State to assist him at those trials, and the trials were to proceed, as I supposed, and I started on my way south to assist him; but he informed me before I arrived at Aiken that the judge of that court had advised him to continue the cases. He informed me that Judge Wiggin had advised him not to proceed with the trials because of the excitement and domestic violence that existed in that county; and the further fact that the jury was composed mostly of white men who were in sympathy with the perpetrators of the violence there, and if he proceeded the trials would be utterly without result and futile.

Q. Was the Army there at that time?—A. I am not certain whether there was a military post at Aiken on the first Monday in September or not.

Q. Was there any effort made to try the men at all?—A. Well, I don't think that anything was done in court.

By MR. CHRISTIANCY :

Q. You had no official connection with that State court?—A. I had

no official connection with it. I was retained in the north, as counsel to assist in the trials, and started on my way south, and was stopped by a telegram or letter from the State attorney-general, stating that the trials could not proceed, because the judge advised that they should not proceed at that time on account of the violence and disturbances that existed there; that he thought it would be very unwise to attempt to proceed with the trials at that time; and I must say that when he came to state the facts to me, with which I was not familiar at that time, I fully agreed that the cases should be continued, because nothing could have been done, and I do not think anything was done.

Q. No action was taken at all?—A. No, sir.

Q. Did those lawless men have possession of the country at that time?—A. They did, fully.

Q. They had full control of it?—A. They had full control of it; the rifle-clubs were marching all over it.

By Mr. MERRIMON:

Q. The circuit judge was a republican?—A. Yes, sir.

Q. The clerk of the court was a republican?—A. I think so.

Q. The sheriff was a republican?—A. I think there is some doubt about him; I think he had been a republican, but had got over on the other side.

Q. He was what is commonly called fishing?—A. Well, I don't know whether that describes it or not, but possibly it does.

Q. All the authorities there at that time were republicans?—A. They were supposed to be such.

Q. And you say that there was a state of insurrection, and that armed bodies of men were marching through the county at that time?—A. Yes, sir. I myself saw the telegram from the judge of the court to the attorney-general, saying that he advised a continuance of the cases.

Q. Do you think the judge would swear that he was intimidated?—A. I don't know whether he would swear that he was intimidated or not. I think he would swear that those trials could not proceed at that time with any safety or security.

Q. Was it proposed at the late term of the Aiken court to take any steps against the persons engaged in the Ellenton riot?—A. Well, I think the term is in session there now. You refer to the September term?

Mr. MERRIMON. Yes.

A. I know that the attorney-general met me in the North and retained me to proceed with these trials, and he really and earnestly intended to do so. He came South himself, and I followed him a day or two later.

Q. Who was the attorney-general?—A. Mr. William Stone was attorney-general then.

Q. How was he performing the duties of his office North?—A. He was just on a visit North with his family; in fact, he and his family had been at the same place I had been visiting.

By Mr. CHRISTIANCY:

Q. If forty or fifty white men are charged with conspiracy or any other joint offense against colored persons, and those persons charged happen to be democrats and to constitute all the white population of a certain neighborhood, would you, as a prosecuting officer taking the initiatory steps for the prosecution of the offenders, think it your duty to take the testimony of any of the persons so charged because they hap-

pened to be democrats, or because they happened to be white men?—A. I certainly would not. In the United States court for this district, and, I think, throughout the United States, they never allow persons to testify who have been charged with an offense; and in a preliminary examination or open trial in court none of those parties who were charged or indicted would be allowed to testify, and I should never ask one of them to testify.

Mr. MERRIMON. The point in this case is this: that there was no examination made on the white side at all.

The WITNESS. If the situation had been reversed and the negroes had been charged with conspiracy against the white people and had committed crimes against them, I should have gone to the white people for testimony, because they were the ones that suffered and would have a right to testify. In this case the white people were not allowed to testify because they were the defendants.

Q. Did not the white people allege that very thing—that the negroes were conspiring to burn and kill?—A. No, sir, not to me; there was no such complaint made to me.

By Mr. CAMERON:

Q. Mr. Merrimon has asked you why the governor did not call out the militia of the State to suppress these alleged disorders; but, before you had an opportunity of answering it, he asked some other question, and you did not answer it in consequence.—A. There was no militia in Aiken County or in any portion of the State, except a few colored militia, and they could not be used for that purpose. They were not reliable; were not drilled; were not efficient for any purpose, or available for that kind of service. There was a militia company at Hamburg, which had been destroyed. There was a little company at Aiken, I think; but all the members of it are colored, and for the purpose of putting down rifle-clubs they are of no value whatever, and could not be used.

Q. Mr. Merrimon also asked you if it was usual with you, as district attorney, to go into a neighborhood where crimes were alleged to have been committed and make an examination of witnesses, and you stated that you had on a former occasion. When was that occasion?—A. That was in 1871 and 1872, in York County, to prosecute the Ku-Klux Klans in that and adjoining counties.

Q. I will ask you if at that time the white democrats did not assert just as positively that there was no such thing as Ku-Klux Klans or organization, as they asserted last fall that there was no such thing as a rifle-club association?—A. They did, indeed, and very much in the same terms, because that was the same offense charged. There was nothing more stoutly denied in 1871 and 1872 than that there was no such thing as a secret organization.

Q. And did not the white democrats at that time just as positively assert that no offenses had been committed against the colored people or the republicans, as they asserted last fall that no offenses had been committed against them?—A. They did, certainly; precisely the same way.

Q. About how many persons charged with offenses against that Ku-Klux act were convicted in this district?—A. In round numbers, I should say about two hundred and fifty, according to my recollection; some fifteen hundred were indicted, and about two hundred and fifty were convicted and punished.

Q. Were not many of these men gentlemen who, prior to that time, at least, were honorable men, of high character in their respective

neighborhoods?—A. Yes, sir; there were doctors and ministers of the gospel, and men in all professions in life in that organization. They had the outside of gentlemen, but were found to have the inside of savages in those cases.

Q. Prior to that time, and at that time, I will ask you if they were not regarded by the white democrats as men of respectability and high character?—A. O, yes, sir.

By Mr. MERRIMON:

Q. The chairman asks you about the condition of the militia at the time the governor, or the late governor of this State, as the case may be, issued that proclamation in regard to the insurrection in this State. I ask you if you did not know, at that very time, that there was a large number of United States troops here for the very purpose of aiding, if need be, in the execution of the law?—A. Well, I did not think that the troops in this State at that time had been sent here for that purpose. They were used here mainly for the purpose of assisting in enforcing the revenue laws, making arrests, &c. They had not been sent here to aid Mr. Chamberlain in enforcing the laws, and he had not asked them for that purpose, as I understood.

Q. What were they here for?—A. They were here, as I stated, to enforce United States laws; to assist marshals in making arrests. That is the main thing they have been employed in doing for the last three or four years.

Q. If the sheriff had been trying to arrest a man, and had been resisted by the mob, the soldiers could not have been called into the service at all?—A. I would not like to assert what the possibilities of the situation were. I am only stating the facts.

Q. What did you do with the witnesses you had here in attendance upon the late term of the circuit court, after you got through with them, when the judge quashed your informations?—A. I discharged them.

Q. How did it happen that they were held over until this committee came here? By whose direction was that?—A. They were discharged on the next day, or within two or three days after the decision of the court was made. I kept them a day or two, because I had made an application to the Supreme Court, to order a special term of court for the trial of these parties, and I kept them two or three days, with a view to hear from the Attorney-General at Washington as to whether that court would be ordered. If it had been ordered it would have been cheaper to keep the witnesses than to send for them again; but I very soon learned, within three or four days, that the term of the court would probably not be ordered; and then I discharged the witnesses.

Q. Were they kept here during the term?—A. They were.

Q. At the expense of the Government?—A. They were kept at the expense of the Government while they were kept.

Q. How long were they kept here?—A. Well, I should say a week or ten days.

Q. How long after that information was quashed?—A. Three or four days.

Q. By whose authority were they held over for this committee?—A. I instructed them to stay here myself, because I wished them to come before this committee, but they had to wait only a day or two without pay; perhaps two or three days; I do not remember.

Q. They staid under your instructions?—A. Under my advice; I asked them to stay.

COLUMBIA, S. C., *January 8, 1877.*

D. T. CORBIN recalled.

By Mr. CAMERON:

Question. Judge Cooke has been a witness before this committee, and he testified to a conversation which he alleged he had with you on the cars. Make any statement you desire to do in reference to that alleged conversation.—Answer. I have read the report of that part of Judge Cooke's testimony in relation to the alleged conversation, and I have to say that his statement, as a whole, is absolutely false, and I think nobody knows it better than Judge Cooke himself. I recollect that I did come from Greenville to Columbia about that time, and that Judge Cooke was on the cars, but he is a man between whom and myself no intimacy ever existed. I never thought him a man to whom I could intrust, or would intrust, any personal conversation whatever; and on this occasion there was little or no conversation between us going from Greenville to Columbia. I had then heard that Judge Cooke was wavering in his allegiance to the republican party, and I purposely avoided a conversation with him upon that subject and others. It is possible that a few words of conversation passed between us, and I can conceive it possible that the Hamburg murders, as we termed them then, might have been mentioned casually, but I neither said nor intimated anything like what he has stated in his testimony.

I say, specifically, that I made no reference to the great enthusiasm of the democratic party, or the enthusiasm of that party in the support of Hampton.

I said nothing about it being necessary to get up two or three riots, or rows, and have about thirty, fifty, or a hundred negroes killed. I said nothing about that being the means, or any part of the means, necessary for saving the State to the republican party or to the nation. Such an idea never occurred to me, and I never, in any form, expressed such an idea to Judge Cooke, or anybody else. I probably did express this idea, if I spoke about the Hamburg riot, because I have expressed it on many occasions, that it was a terrible mistake, on the part of any political party, to get up such a riot as that, because it would certainly shock the nation and every person who had any human sympathy in his heart at all; that the thing was a terrible outrage, and it would certainly be a great injury to any political party that was responsible for it.

As to getting up cases in the United States court, I never said anything of the kind at all. I never told Judge Cooke that it was necessary to get up cases in the United States court, where the jury could be managed, nor anything like it. I have no recollection of his making the remark whether a case could not be made up out of the Hamburg riot. I did not at that time know very much about the Hamburg riot. I had just returned from the North to attend the Greenville term of the district court; had arrived there about four or five days previous to this, going to Columbia, and I had just seen a casual statement in the newspapers about it, and knew nothing about it, and could not have said or given any opinion about it; at least, no opinion as to the propriety of prosecution in the United States court.

Q. I will ask you if you at any time or in any place had the conversation with Judge Cooke which he details in his testimony, or any conversation, in substance or effect, like or similar to that?—A. No, sir; I

never did. I wish to be understood as saying that it is possible that we might have had some limited conversation, and there might have been some reference to the Hamburg riot and its political effect in a casual way, but to no such import and no such effect as is stated in his testimony before this committee.

JOHN L. WEST—CHESTER COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

JOHN L. WEST (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. Temporarily in Columbia. My home is at Chester Court-House.

Q. What is your age?—A. I will be twenty-eight in May.

Q. Where were you on the day of the last election?—A. I was at Chester Court-House.

Q. What official connection, if any, had you with the election?—A. I was appointed supervisor of election for the Court-House, but did not act, because one of the boxes had been abolished, whereas heretofore they had had two boxes there. Therefore my services were not necessary.

Q. State whether you are a republican or not.—A. I am.

Q. Did you vote at the last election?—A. I did not.

Q. Tell why you did not.—A. Because of threats made in my hearing by the democrats.

Q. You may state what those threats were and by whom made.—A. Threats were made that if I voted I would be arrested.

Q. Did they state for what?—A. I may say that they did; for one person said to me in conversation that I would be arrested because I was not, as he claimed, a citizen of that county.

Q. What was the fact; did you consider yourself a citizen of that county?—A. I have been ever since 1872. I have never voted outside of the county. I have been away from it temporarily in the prosecution of whatever business I had, and latterly on account of my health, as I have been in impaired health for the last fifteen or eighteen months, and am yet under a physician's charge in this city.

Q. You may state anything that occurred on the day of the election, affecting the conduct of the election, within your observation. State how it was carried on.—A. Failing to act as supervisor on account of the box being abolished, I repaired to the polls at about half past six o'clock. The polls opened at six. After I got there I took some tickets for distribution, and also went there with a view of protecting ignorant republican voters who might possibly be misled in the ticket they intended to vote, and I succeeded in setting several aright who were misled by means of false tickets, inasmuch as there were at the polls counterfeit tickets almost an exact representation of our ticket, having at the head the same device that ours had, an eagle, with the words, "Union republican party," above it, printed with the same kind of ink and in very nearly the same kind of type. They were tickets well calculated to deceive even persons of intelligence, let alone those who were ignorant; and in several instances where ignorant negroes were taken aside and asked to vote that ticket and they refusing, those tickets were thrust into their hands, and in several instances I told the parties

afterward of their mistake, and gave them the correct ticket. They told me that they had been told that that was the republican ticket. I heard some white men and democrats say to colored men there that there was no difference between the two tickets, holding the tickets before them, and in one instance I spoke up and said, "There is a very material difference; one represents the republican party, and the other the democratic party;" then the person turned away and said no more. I was also present nearly all the day, except when I went away to get some little refreshment. I was also sent as a bearer of the message for the soldiers to come to the polls, deeming it eminently necessary that they should be there.

Q. State why you thought it necessary that they should be there.—

A. I thought it was necessary that they should be there after I had returned from my breakfast, which, if my memory serves me right, was in the neighborhood of ten o'clock. I noticed quite a commotion in the court-house yard as I approached, and asked several the cause of it. I was told by a great many that Judge Mackey had threatened to arrest James Canton, who was acting as deputy United States marshal, on the ground that he had no authority to act.

By Mr. MERRIMON:

Q. Did you hear him say it?—A. I did not hear him myself.

By Mr. CAMERON:

Q. What was the disturbance about?—A. I am coming to the disturbance. There was quite a commotion between the two parties and two races, comprising on one side the democrats and white men, and on the other side the negroes and republicans, and they were very nearly coming together when Canton deemed it necessary, in order to preserve the peace, to send up for the troops. I was coming in the court-house yard at the time, having been away probably two or three minutes, when Canton saw me and asked me to take a note down to Lieutenant Hinton, which I did, and the troops came there, and from that time forth peace was preserved. I have not the slightest doubt that if they had not come there, there would have been a collision.

Q. Where were you during the canvass, mainly, prior to the last election?—A. I was here mostly in Columbia, feeling that I should be of more service here than in Chester County. That is my only reason for not being there.

Q. Have you any other facts relating to the election or the canvass prior to the election? If so, you may state them.—A. I do not know, as far as that county is concerned, that I could state anything within my own knowledge—only such as came to me.

Mr. CAMERON. You need not state anything that is not within your knowledge. That is the rule we have adopted here.

The WITNESS. I was at the court-house the day before the election, and I was told a week before I went there that threats had been made by parties there, and I heard that parties there had been advised to run me off upon coming there, and not allow me to act as supervisor of election. However, that did not deter me from acting. I had the consciousness within myself that I had the right to go there, and I knew that I would be guilty of no infraction of law in going there, and consequently determined to do so, let the consequences be what they might; and I went there accordingly. Nothing was said about running me off after I got there, only these threats were made in my hearing. Going down street at one time, I heard a white man, a democrat, conversing

with some negroes there, and I overheard this much of the conversation. Says he, "The people here could get along harmoniously if it were not for such damned rascals as that"—shaking his whip at me. He was, at the time, seated in his buggy. I don't know of any rascality that I have been guilty of, unless it is guiding my people aright, which I conceive it my duty to do.

By Mr. MERRIMON:

Q. What is your business?—A. I have been employed for the last six or seven years mostly in the capacity of clerk.

Q. Where?—A. During the winter in this city. I have taught school in the county of Chester.

Q. When?—A. I taught school in the county of Chester in 1872, and in the election of 1872 was also chairman of the board of commissioners of election of Chester County.

Q. With that exception you have lived here, have you?—A. I have been here temporarily in the prosecution of my business—always in the prosecution of my business.

Q. You have been a clerk, have you?—A. I have been a clerk for six years, ever since 1870, in the legislature, and at odd times I have done clerical service in one or the other departments of the State.

Q. Then you are a professional partisan?—A. By no means.

Q. Then you are a republican?—A. I am a republican.

Q. Do you take much interest in politics?—A. I have such interest as that I feel every man should have. I am not what you might call a politician, and never have been.

Q. Still you went up to Chester County to the election?—A. I always have voted there, and never have voted elsewhere.

Q. You went up there to protect the ignorant against the frauds of the democrats, and you undertook to do that?—A. I did.

Q. And yet you allowed a democrat who suggested that if you voted you would be indicted, to keep you away from voting?—A. I had just cause for doing so.

Q. You expected to be arrested, and yet you knew you had a right to vote there?—A. I did.

Q. You were bold about other matters but were not bold about that?—A. Because I had just cause, and, if you like, I can state the cause.

Mr. MERRIMON. I don't care about it.

Mr. CHRISTIANCY. You can state the cause.

A. The cause is just this: because I had undergone persecution in that county for exercising the right of a free man in going to a special election two years ago last July; because I didn't see fit, and would not, as a man, bend the suppliant knee to a man who wanted me to.

By Mr. MERRIMON:

Q. How?—A. I was persecuted always. I was charged with illegal voting and perjury, and yet on the preliminary hearing the prosecuting officer, although a real democrat, yet having some conscience, refused to prosecute the case, and it was thrown out of court. I was placed under bonds.

Q. Were you indicted?—A. The case fell through just as soon as the circuit court met. Nothing was done. I was then ordered by my physician to go to Havana for my health.

Q. Who was your persecutor on that occasion?—A. The affidavit was made by a democrat.

Q. Who was he?—A. His name, if my memory serves me right—I

don't know about his first name, but I think his name was Israel McD. Hood.

Q. What democrat threatened to persecute you if you voted on the day of election?—A. One William Samuels, a trial-justice up there, before I had the farce of a hearing, said, "If he votes here to-day he will be arrested." He is a man claiming to be an officer of justice, and he refused to take as my bondsmen men who are on other bonds in the county to-day, and I said to the sheriff "I will go to jail if that is the case."

Q. Were you arrested that day?—A. I was arrested next day.

Q. I am talking about the threat made to you on that day.—A. I was not arrested on that day.

Q. Who made the threat to you?—A. This trial-justice made the threat. Another man, William Walker, the son of Sheriff Walker, in conversation asked me if I "was going to vote to-day." I would not answer. He said, "We don't intend that any except citizens of the county shall vote." I says, "If I am not a citizen of the county, of course I have not the right to vote, but I know my rights; I am a reputable citizen of the county and have never been guilty of any infraction of the law." It was soon afterward some one of my friends wanted me to vote, but knowing the excitement incident upon the election and that probably something would ensue if I did, and knowing also that my friends down here, where I had sent before and got bonds from a man worth \$60,000 in real estate, I knew that he would be away, and I didn't propose to endanger my health by lying in jail until I could get deliverence from persecution, and that is why I didn't offer my vote.

R. S. DESPORTES—FAIRFIELD COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

"R. S. DESPORTES sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Thirty-three.

Q. Where do you reside?—A. Ridgeway, Fairfield County, South Carolina.

Q. What is your business?—A. I am a merchant.

Q. Do you know a person in your county by the name of W. R. Marshall?—A. Yes, sir.

Q. He has stated that on the 22d day of September you told him that you were captain of a rifle-club. "I told him I was surprised to hear of it. He said that it was for the preservation of peace. I told him that if there was any breach of the peace I was ready to arrest the party. I asked him if he would obey my order as a posse. He said that he would as a citizen. He offered me protection in the club. I told him I could not accept it as being an unlawful organization. He was accompanied by three or four gentlemen of the neighborhood." State whether you did anything to this man Marshall; and, if you say yes, state all about any difficulty that he had of which you have any cognizance.—A. Mr. Marshall is a trial-justice—

Q. I ask you the question what Marshall told you about a controversy between him and one Smart

(Question objected to by Mr. Christianity, and objection sustained.)

Q. Do you know, of your own knowledge, whether he and Smart had any difficulty?

By Mr. CAMERON:

Q. Were you present when any difficulty occurred?—A. No, sir; I was not present.

By Mr. MERRIMON:

Q. Were you at his house?—A. Yes, sir.

Q. State anything that happened between you and him.—A. He sent for me about dark, and directed his note to "R. S. Desportes, first warden of the town of Winnsborough." I obeyed his request and went to his house, and found him in a great state of nervous excitement, I thought, with his coat off, in his reception-room. He told me his life was in danger; that two boys, sons of Smart, had fired upon him, and that he had asked Mr. Cloud, the intendant of the town, for protection, and showed me Mr. Cloud's note, to the effect that he had inquired into the matter and found that there was no cause for action. Mr. Marshall spoke at great length. I told him that, as first warden of the town, I was powerless to assist him under the ruling of the intendant, but that I was captain of a rifle-club, and that the organization was for the protection of our homes and the lives of our wives and children, and for the protection of anybody's life, and that if he could show me that his life was in danger I would grant him the protection of the club; that I would give him a detachment of the company to protect him, and he seemed, to me, to be very glad of the offer. He didn't ask me to act with him as a posse; nothing of that kind transpired, sir.

Q. Who were these Smarts?—A. They were sons of S. M. Smart; the young man, John Smart, is about twenty-four years old.

Q. What are their politics?—A. They were of the same feeling as their father some years ago; recently they have shown a disposition to come over to the reform side.

By Mr. CAMERON:

Q. By that you mean that they have acted with the democrats?—A. In this last election; yes, sir.

By Mr. MERRIMON:

Q. How was their father?—A. He came over to the reform party after this disturbance.

By Mr. CAMERON:

Q. By the reform party you mean the democratic party?—A. By reform party we simply mean the party in this State for honest government. We have no politics about it.

By Mr. MERRIMON:

Q. What do you mean by a rifle-club?—A. Well, sir, under the late order of things, we had rifle companies and volunteer companies, and in the State it is a patent fact that no white company has ever been organized under the militia law, consequently we had no protection from the militia of the State.

Q. Did you have a company there?—A. Yes, sir.

Q. Of how many men did it consist?—A. Fifty-six.

Q. Was it armed?—A. It was not at that time.

Q. Did it have any political purpose?—A. None whatever, sir.

Q. It was not a political organization at all?—A. No, sir.

Q. How many rifle-clubs were there in your county?—A. I could not

say, sir. There were three within my knowledge within summons of our town, including the one that I commanded.

Q. Did your company go about the country there riding and shooting at nights?—A. No, sir.

Q. Did they at any time?—A. No, sir.

Q. Were you present at any republican meetings at your place or else where in your county?—A. No, sir.

Q. Do you know whether your company went to attend any of their meetings for the purpose of disturbing them?—A. No, sir.

Q. Do you know whether they went at all to attend a republican meeting?—A. No, sir; on one occasion a part of it was sent, when the republican candidates went to Winnsborough, but they went simply as policemen to protect the town in case of a riot, which it was thought was imminent. Wherever those large gatherings occurred the police of a small town would be incapable of protecting the place, and they went there simply as policemen, and I don't think went near the meeting.

Q. Where does Mr. Marshall live?—A. Just outside of the limits of the town of Ridgeway.

Q. What does he do for a living?—A. He is a trial-justice.

Q. Does he do any other business?—A. No, sir.

Q. Do you know what was the matter with his late wife, and what caused her death?—A. Well, sir, her death, I think, was caused—

By Mr. CHRISTIANCY :

Q. Do you know anything about it yourself?—A. Yes, sir.

Q. State what you know.—A. From the effects of nervous prostration, sir.

By Mr. MERRIMON :

Q. How was she regarded in your community?—A. She was very much beloved by the ladies.

Q. Do you know whether they visited her or not?—A. Yes, sir; my wife visited her, and even after it was not popular for her to go; and then after I objected, on account of her husband's standing before the people, she still visited her, and did so up to her death.

Q. Did she do any acts of kindness for her?—A. Constantly, sir.

Q. I will ask you whether, from your general observation, there was a general state of terrorism all over your county?—A. Not at all, sir; we were alarmed for fear that our property would be burned by the negroes.

Q. Do you know whether there were companies of armed men riding about through your county, wearing red shirts and making a great ado and terrorizing at night?—A. I do know that there was not. We didn't have a red shirt in our organization at all.

Q. Have you a letter in your possession from any United States officer at Ridgeway?—A. No, sir; Mr. Cloud, the intendant of the town, has that. He will appear before you. It was written to him and is in his possession.

Q. Give us an account of the election at your place and the campaign through your county, if you have any knowledge of it.

Mr. CAMERON. We mean personal knowledge—anything that you saw yourself, and not anything that you heard.

A. I only saw the election on the day of the election.

By Mr. MERRIMON :

Q. Where?—A. At Ridgeway precinct.

Q. State whether there was any disturbance there.—A. None, except in one case, where a democratic negro was threatened, and we had to put him in the store of Messrs. Roof & Cloud to protect him from violence.

Q. Did you see the negro carried off?—A. Yes, sir.

Q. Was he a democrat?—A. Yes, sir.

Q. Do you know that he was a democrat?—A. No, sir.

Q. Do you know that he was put there for protection?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. How do you know that he was put there for protection?—A. Well, sir, I have every reason to believe that he was carried there for protection.

Q. What is your reason?—A. It would be very unusual to lock a man up unless there was some cause for it.

Q. And, therefore, you infer that it was for protection?—A. Yes, sir; and I gave him a pistol to protect himself with afterward.

By Mr. MERRIMON:

Q. That was on election-day?—A. Yes, sir.

Q. He was a democrat?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. Mr. Marshall did not complain at all that your wife hadn't been frequently to visit his wife, but you say that your wife used to go and do acts of kindness for her when she was sick, even after it had ceased to be popular for her to go there?—A. Yes, sir.

Q. And after you thought she ought not to go?—A. Yes, sir.

Q. What was the reason that it had become unpopular for her to go?—A. Well, sir, if you don't object to a long story, I would like to tell you.

Q. You can state generally.—A. I will try to do so as concisely as possible. Mr. Marshall was in this state of excitement that I have described, and he said that he had applied to Mr. Cloud and could not get any protection. I told him I was powerless, as warden of the town, to grant him any protection, but as captain of this club I would do so. I could hear Mrs. Marshall sighing in her chamber, and I thought she was very much alarmed. I told him that that night we would have a company meeting and that I would then come to his house; that I would ask the intendant of the town, who was a member of the club, if there was any cause for apprehension, and I would also converse with the two Smart boys, and if I found there was the slightest cause for apprehension I would send him a detachment of my company. He thanked me for it and I went off. I met Mr. Cloud at the depot and conversed with him about it. He said that he had examined the witnesses in the case and could find nothing to take hold of. We then held a meeting. We were just organizing and had no arms of any kind, but were just going through the preliminaries. The meeting lasted until after twelve o'clock at night, and after the meeting adjourned several men came around the table and I stated Mr. Marshall's physical condition—that is, his excitement and his wife's excitement. Mr. James Q. Davis offered to go and stay there, and I said, "Gentlemen, I know it would be an act of charity if we would walk down there and state that there is no need of apprehension, for it would quiet Mrs. Marshall so that she could sleep." We went down there and after hallooing considerably Mr. Marshall came out. I told him that we came to tell him that there was no cause for apprehension; and he then thanked us and made quite a speech defining his political position, and said that he was glad that we had called upon

him; that he thought that this conference would result in a better understanding. The next morning after we were there these guns were fired.

Q. What guns were fired?—A. I heard a good many reports.

Q. You heard guns fired?—A. Yes, sir.

Q. That was the next morning?—A. Yes, sir; it was a very unusual thing in a quiet town like that. We heard these guns.

Q. You heard guns; where?—A. In the direction of Mr. Marshall's house. The afternoon of that day the negroes came into town, and a woman came into my store.

Q. What woman came into your store?—A. negro woman.

Q. Do you know her name?—A. No, sir.

By Mr. MERRIMON:

Q. In consequence of what the colored woman told you what did you do?—A. I came to Columbia and telegraphed for forty rifles, and went back home.

By Mr. CHRISTIANCY:

Q. To whom did you telegraph for forty rifles?—A. I don't believe that I remember the address of the gentleman.

Q. Do you know the officer that you telegraphed to?—A. I telegraphed to a house in New York with whom I had never had any dealings before.

Q. How did you happen to know them?—A. I had written to them before.

Q. How did you happen to know who they were?—A. They sent me a postal card giving me the quotations, and I sent to that house for forty stand of arms and one thousand rounds of ammunition.

Q. About what time was that?—A. That was in September.

Q. What time in September?—A. I am not quite sure about the date, but I would say, as well as my memory serves me, about the 24th of September.

Q. Did you receive them?—A. Yes, sir.

Q. How soon after?—A. I suppose it was about a week, or more; I don't remember exactly.

Q. What did you do with them?—A. Each man bought and paid for his gun, and took it home.

Q. The members of the club did?—A. Yes, sir.

Q. Then they had arms after that time?—A. Yes, sir.

Q. Did they ever come out with those arms?—A. No, sir.

Q. You are sure of that?—A. Yes, sir.

Q. Where were the arms kept?—A. Each man took his gun home.

By Mr. CAMERON:

Q. Did you drill with them in your room?—A. No, sir.

By Mr. CHRISTIANCY:

Q. Had you anybody in that company except democrats?—A. No, sir.

Q. Yet it was not a political club, you say?—A. No, sir; they were all white men, and all white men are democrats in our section.

By Mr. CAMERON:

Q. Had any outrages been committed, to your knowledge, in your neighborhood, prior to the time that you sent for those guns?—A. No, sir; we only apprehended danger.

Q. None had been committed?—A. No, sir.

By Mr. MERRIMON :

Q. You were going to speak, a while ago, of something that the negroes did, and were not allowed to proceed. State what they did do, within your knowledge.

By Mr. CAMERON :

Q. Anything that you know that the negroes did you may state.—A. I only heard this negro woman——

Q. Did she make any threats?—A. She only told me what they were coming to do that evening.

Q. Did they come?—A. No, sir.

Q. Have they come since at any time?—A. No, sir.

Q. What has become of those arms since? Have the men retained them?—A. Yes, sir; we disbanded after Governor Chamberlain issued his proclamation.

Q. Each man retained his arms and ammunition, however?—A. Yes, sir; we had twenty rounds apiece, sir.

By Mr. CHRISTIANCY :

Q. By disbanding, do you mean that your club never met after that?—A. They never met after that.

By Mr. CAMERON :

Q. And no outrages have been committed in that vicinity, notwithstanding the fact that you have disbanded?—A. No, sir.

Q. No white men have been killed?—A. No, sir.

Q. No property has been destroyed?—A. No, sir; there was one fire the other night, but I don't suppose that was the result of the election excitement.

Q. On the whole, then, you conclude that there was really no necessity for your company; do you not?—A. Well, sir, we think that by preparing we prevented it.

Q. You dissolved, however?—A. Yes, sir.

Q. About what time did you dissolve?—A. Well, sir, I think it was within the three days that Governor Chamberlain told us to disband.

Q. Did you meet and formally disband?—A. Yes, sir.

By Mr. MERRIMON :

Q. Those arms are the private property of each man?—A. Yes, sir; each man paid for his own gun.

[The witness requested the privilege of seeing the testimony of Mr. Marshall heretofore taken by the committee, and stated that Mr. Marshall had said that his (Mr. Marshall's) credit was good.]

Mr. MERRIMON. He says, "My credit is good, but I am refused credit on account of politics." On his cross-examination he produced a letter from you which was read to the committee, and put in as part of his testimony, in which you denied him credit, and told him among other things that you were under promise not to act with or even encourage any one who allied himself with the republicans. Give any explanation of that matter that you may wish.—A. Well, sir, in the first place Mr. Marshall's credit is not good. I am sure that all the merchants in town will bear me out in saying that. They would not credit Mr. Marshall with a dollar unless they had collateral security. While his wife was sick, although I was under promise, as he states there, not to aid or abet any republicans or any one that we thought was arrayed against the best interests of our State—for it does amount to that in this State—notwithstanding that I was under that promise, still, while his wife was sick I sent him everything

that he needed. We keep a drug-store as well as a general stock, and we have very fine brandy there that I bought several years ago for \$12 in gold, and I sent that, but made no charge of it at all, for the benefit of Mrs. Marshall. We had all regarded Mrs. Marshall—I am sure I did—as a very lovable person, a very intelligent lady in her life, and after her death I went down there with my wagon and horse and offered him my services to assist him in any way that I could with the obsequies; and when the coffin arrived I carried it down there and offered to carry her body to the depot, and offered to do everything that I could to assist him in the funeral; but after his return from the funeral—he buried her here in Columbia—he then wrote to me for assistance, and I replied to him that I was under this promise, not to help any one arrayed against the interests of the State; but I am sure that I didn't say, "any one allied with the republicans." The words I used have a very different significance; for really I am a republican myself, but I am working with the democratic party, for they are in favor of honest government. If I lived in New York I should be a republican.

By Mr. CHRISTIANCY:

Q. But you voted for Tilden, I suppose?—A. Yes, sir; I voted the straight democratic ticket.

Q. And for Hampton?—A. Yes, sir; because I hope for reform through that party and to be relieved from our political distress.

By Mr. MERRIMON:

Q. Do you wish to say anything more?—A. I think if you would allow me to read Mr. Marshall's testimony—

By Mr. CHRISTIANCY:

Q. You say that Mr. Marshall's credit is not good among the merchants there?—A. Yes, sir.

Q. Are all those merchants democrats?—A. Yes, sir; that is, they are working with the democrats.

Q. Just as you do?—A. Yes, sir; I have frequently told Mr. Marshall that if I lived in New York I should be a republican.

Q. That has not anything to do with being a republican?—A. No, sir; I don't like that word in the evidence. I will state, if you will allow me, that on three separate occasions about five or six young men of my club visited republican meetings at night.

By Mr. MERRIMON:

Q. Do you know that of your own knowledge?—A. Yes, sir; I saw them go. I didn't see them there.

By Mr. CAMERON:

Q. They started out from the club-room to go there?—A. Yes, sir; they went for the purpose of instructing these people, because they hadn't attended our meetings. We thought it was to our interest to lay their interests before them. They would not come to us, and we thought we ought to go to them.

Q. Did they invite you?—A. The second time they invited some one who could make a speech to them.

By Mr. CHRISTIANCY:

Q. This club of yours was not political at all?—A. You see the democratic clubs and rifle-clubs are almost synonymous. The same men belong in some instances to both organizations, and Mr. James Q. Davis was the president of the democratic club. The reason why I mention

this is to show you that on three occasions these few gentlemen went to visit these clubs, but they didn't go as rifle-club men, because they carried no arms with them. If you would visit our section you would find us to be a very civil people.

By Mr. MERRIMON:

Q. I will ask you this: Do you know whether guns were found secreted in any place in your town; and, if you say yes, tell us all you know about it?—A. I didn't see the guns.

By Mr. CAMERON:

Q. I will ask you if most of the gentlemen who were members of the rifle-club before this dissolution were not members of a democratic club after the dissolution of the rifle-club?—A. No, sir; not in every instance.

Q. Most of them, I say?—A. Yes, sir; the democratic club we regard as a civil organization, and the other as a military organization for the protection of the peace.

Q. But the clubs were composed of the same persons, mainly?—A. Mainly the same.

Q. Did they retain the arms which you procured from New York, as you have stated?—A. Yes, sir.

CORNELIUS R. MEAS, FAIRFIELD COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

CORNELIUS R. MEAS (colored) sworn and examined.

By Mr. MERRIMON:

Q. Where do you live?—A. At Ridgeway, Fairfield County, South Carolina.

Q. What is your business?—A. I am clerk in a store.

Q. With what political party do you affiliate?—A. The democratic party.

Q. Are you a colored man?—A. Yes, sir.

Q. How did you happen to join the democratic party? Were you forced to do it?—A. No, sir; I did vote the republican ticket until I saw that it was ruin to the country and people, and then I thought I had better try something else in this last election.

Q. You then changed your relations?—A. Yes, sir.

Q. Did anybody force you to do it?—A. No, sir.

Q. Has anything been done to you since you joined the democratic party by your own color?—A. Nothing has been done except I was threatened.

Q. State how you were threatened.—A. I was not threatened to my face.

Q. Do you belong to church?—A, Yes, sir; I belong to the Presbyterian colored church.

Q. Did they turn you out?—A. They said that they were going to turn me out. I was teaching a very nice Bible-class and singing-school, and I was engaged nearly all day Sunday; between Sunday morning and seven o'clock regularly in the Sunday-school and Bible-class and singing-school; and Saturday, when they heard that I was going to vote the reform ticket, they said they were going to turn me out of church and Sabbath-school.

By Mr. CAMERON :

Q. Who told you that ?—A. A colored lady of Ridgeway.

By Mr. MERRIMON :

Q. Did the colored woman tell you she was going to turn you out on account of your politics ?—A. They did turn me out.

Q. What did they turn you out for ?—A. They said it was the only fault they had against me, that I voted the democratic ticket. And they said they were sorry, but they had to do it. I told them that I didn't teach the children politics ; I taught them the Scripture, and right from wrong, as far as I could ; and they all acknowledged that I had done a great deal of good.

Q. State whether anybody threatened you on the road.—A. No, sir ; nobody ever threatened me on the road.

By Mr. CHRISTIANCY :

Q. Did you go before the church at the time they turned you out ? Were you present at the time they turned you out ?—A. Yes, sir ; I went to my Sabbath-school on that morning, as usual and when I got there this party that was going to turn me out was there before me, and he was never there at the Sabbath-school usually. One of them was an elder in the church, and I had often persuaded him to go and help me in the Sabbath-school, but he didn't seem to have any interest in it, but this morning he beat me there.

Q. Who spoke about turning you out of the church ?—A. His name is Nelson Marshall, the head elder of the church.

Q. Was that in the church ?—A. It was in the church where they done it. They spoke of it outside.

Q. You don't mean that they turned you out of doors, but out of the church ?—A. They turned me out of the Sunday-school and disfranchised me in the church, so that I was not any more a trustee of the church.

By Mr. CAMERON :

Q. They did not turn you out of doors, but told you to go ?—A. They said I must not teach in the sabbath-school any more.

By Mr. CHRISTIANCY :

Q. Are you a member of the church now ?—A. Yes, sir ; I go there.

Q. They only turned you out of teaching in the sabbath-school ?—A. Yes, sir.

By Mr. CAMERON :

Q. In whose store are you a clerk ?—A. Mr. R. S. Desportes's.

Q. How long have you been a clerk in his store ?—A. About five years.

Q. Is he a republican ?—A. He is a democrat. He voted the democratic ticket.

Q. And you voted the democratic ticket too ?—A. Yes, sir ; I have voted the republican ticket in the same store until the last election, with a little exception. I always did use a little discrimination, and if anybody was on the ticket that I didn't want to vote for I scratched him off and voted for somebody else.

YOUNG JOHN POPE—NEWBERRY COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

YOUNG JOHN POPE sworn and examined.

By Mr. MERRIMON:

Question. Please state your age, your place of residence, your business, and with what political party you affiliate.—Answer. I am thirty-five years of age; I am a lawyer by profession; I reside in the town of Newberry, S. C.; and I affiliate with the democratic party.

Q. State whether you had any official connection with the democratic party during the late campaign in this State, and if you say yes, tell us what it was.—A. I had, sir; I was chairman of the democratic party for Newberry County, South Carolina.

Q. Did you have much facilities for knowing the movements of the party in that county?—A. It was my duty to know everything that occurred as far as possible.

Q. State whether you were present at a republican meeting at Newberry at any time during the campaign; what the character of that meeting was; what the proclamation calling it was; whether there was any joint discussion proposed or agreed upon; whether there was a joint discussion, and whether there was any violence or violent demonstrations made toward or about that meeting.—A. The meeting at which Governor Chamberlain attended was immediately upon the adjournment of the democratic State convention, which was convened on the 16th. I think that meeting was about the 18th or 20th of August. At that meeting, by consent of Governor Chamberlain and others, democrats and republicans divided time; and the meeting was perfectly harmonious and peaceable, although there were very large numbers of both parties upon the ground and the discussion lasted the entire day. There was a subsequent meeting at Newberry, which was convened under the following circumstances: Immediately upon the close of the republican county convention for the nomination of officers it was announced by the chairman that there would be a grand rally of the republican party for discussion on, I think, the 16th of October; the date, however, I will not undertake to be accurate about. That chairman announced that there would be a joint discussion on that occasion. Being chairman of the democratic party, I at once issued an invitation, by letter, to General M. C. Butler, General M. W. Gary, of Edgefield; General Samuel McGowan and James S. Cothran, of Abbeville; Hon. D. Wyatt Aiken, who was nominated for Congress on the part of the democrats and subsequently elected, and several other gentlemen, to be present on that occasion. I believe I sent an invitation to Colonel Haskell, as chairman of the State executive committee, to be present at the joint discussion. Having made these arrangements, I summoned the democracy to be present on that occasion.

On that morning, I think about half past nine o'clock, I received a telegram from Columbia saying to me not to enter into the joint discussion, unless by the consent of both parties. I at once sought out the county chairman of the republican party, Joseph D. Barton, a colored lawyer, and a representative man of his party. I was unable to find him until the arrival of the train, which reaches our place about 10.47 a. m. When I met him, he told me that he was exceedingly anxious for the joint discussion, but that it had been determined that it should not be a joint discussion. I hurried to the court-house steps in our town, at which

place the discussion was to take place, and where a large crowd had congregated, both white and black, republicans and democrats. I requested Barton, however, to see the speakers, and see if it could not be arranged, as it had been on the previous occasion, that there should be a joint discussion. The speakers came, and with them Barton, and said that they regretted very much that it had been decided not to have a joint discussion. In the mean while I received a direct communication from the State committee on the subject through the mail, and thereupon I asked the Abbeville republicans to announce to my own party that was present that although the banter had been made for a joint discussion, and we were prepared to meet them, yet they had, as usual, backed down from it, and that we must not expect any participation in the discussion. Of course it was a great disappointment to our people, and I should say that it was a disappointment to both parties. When I say both parties, I mean the bodies; I do not mean the leaders. The colored men of my party were disappointed as well as the white men. The mind of the county had been very much agitated in regard to public matters, and charges had been thrown in the face of Governor Chamberlain at that first meeting. He and his confederates were charged with maladministration, and they were exceedingly anxious to have these matters ventilated before them in detail. It was with that view that they had sought the joint discussion, and when I announced that there would be none, there was a disappointment. The republican speakers were William M. Taft, of Charleston; Professor Greener, of the university here in Columbia and L. Cass Carpenter. Those three I remember. There may have been others, but, if so, I cannot recollect them just at this moment. There were several gentlemen with them who did not appear to be speakers, though the exact character which they appeared in on that occasion I was apprised of afterward. John B. Dennis was there taking some interest in the arrangement of matters. They requested me to ask the democrats to give the front of the court-house steps and the square to the colored men.

I told them that the white men had been invited there, and they said the white men being on horseback could look over the heads of the others. I pointed out the fact to them that there were about forty colored republican horsemen who were also alongside of the white democrats and colored democrats on horseback. They argued the matter some time, and said they would not speak unless they removed back. Being exceedingly anxious that everything should be done that was possible to satisfy the public mind in regard to everything in the conduct of the election, I finally said unofficially that they had cut off my official head, so far as that crowd was concerned, by declining to allow it to be a joint discussion, but I did say to some gentlemen that I would be very glad if they would move back, but they said they had been invited there, and refused to do it. While on the court-house steps and discussing these matters, talking with General John Dennis, a colored man and a leader in the party, who was subsequently elected to the legislature, remarked to Dennis, "These gentlemen have been invited here, and a publication has been issued in the paper saying, 'Come one, come all,'" and this representative colored man said, "That is quite true." Dennis then made a remark something like this, "That puts a different face upon it; if you have invited these gentlemen here, you cannot complain of their attendance."

Matters went on and they lingered, I suppose, three-quarters of an hour before they began speaking. Finally they began speaking at the end of the portico, where they had all the colored men immediately

around them. Colonel Taft, of Charleston, was the first speaker, and he had gone on at some length, when all at once a white man and a colored man, both mounted, struck blows at each other, and at once it looked as if both men were about to draw weapons. The man that I had appointed marshal of the day for our crowd at once rode between them and said, "Nothing of that sort here; put up those pistols." The colored man put his pistol, and, of course, the white man was required to keep in good order. But that caused considerable confusion in the crowd and rushing about on the part of the negroes on foot, and the horse-men white and black, came riding up in front. During this *melée* and confusion Taft suspended his speech. I think he began again afterwards, and finished. L. Cass Carpenter came second. He is personally obnoxious to many persons. He is called Chloroform Carpenter. He began his speech—I forget now the exact language he used—anyhow he hesitated a moment and said something like this, "I appear before you," when some man in the crowd hallooed, "To swap a few lies, as usual, I suppose." His general reputation for veracity is undoubtedly very bad. He is a man who is said to have been chloroformed and robbed, &c. I do not know anything of that, however, but that is just his public reputation that I give you.

By Mr. CHRISTIANCY :

Q. His reputation up there, you are speaking of?—A. Well, sir, I don't say up there. I think you will find it to be his reputation in Columbia, and wherever he is known in South Carolina. I do not speak of outside of our own State, because his acquaintance with the good people of our Union is confined rather to this State. Now, when this remark was made Carpenter says something to this effect, "I see that you don't care to hear me, or that you are going to interrupt me, and I will not speak. He stopped. Professor Greener then began his speech, and I think he must have spoken three-quarters of an hour; but in his speech, which was very high flung—political discussion when fairly conducted is a blessing, but where offensively conducted—

Mr. CAMERON. No matter about that. Give the facts.

The WITNESS. Very well. Anyhow he proceeded to the point where he announced that the white people of South Carolina before the war did not allow a man without a certain amount of property to vote. Thereupon the lie was given from the crowd. I don't know how it was; I could not state, but questions were being asked that were pretty well answered, and a kind of running fight was kept up, I think, for three-quarters of an hour. He then closed.

We did not attempt to have our speakers at all until everything was over. When the republicans adjourned their meeting, five minutes afterward I called the meeting to order and had democratic speakers put upon the stand, and that is the way in which that matter occurred.

By Mr. MERRIMON :

Q. State whether you attended another political meeting in your county; and if you say yes, give us an account of what you observed at that, and whether there were any threats of intimidation or violence.—A. Well, sir, I attended a great many political discussions and some of their meetings. When I say theirs, I mean the republicans. I also attended a great many democratic discussions, and invariably the republicans were invited to speak at our democratic meetings. When the nominees for county offices were making a tour of the county, and the colored people participated in those discussions, I remember one man spoke at six places; and while sometimes his language was somewhat

offensive, because reflecting upon us in a slight measure, still he was received kindly, courteously, and uninterruptedly. I also heard a great many republican speeches, and I never saw one interrupted.

Q. Were there any demonstrations of violence at your meetings, such as were calculated to drive the people away from the speakings?—A. No, sir; every meeting I attended in my life was exceedingly quiet and orderly. Indeed, our whole aim at those meetings, and the aim of the speakers there, seemed to be to win the colored people over to our political standard.

Q. I ask you whether at any time, by violence or threats, you sought to induce the colored people to vote the democratic ticket?—A. Never, sir.

Q. Is it within your knowledge that anybody else did?—A. No, sir.

Q. Had the democratic party a policy by which they expected to secure votes from using violence or threats of intimidation?—A. The policy of the democratic party, so far as it came within my knowledge, was one entirely of conciliation in this campaign. The public safety of South Carolina depends upon the harmony of the two races; and, so far as my knowledge extends, that was the key-note of the campaign.

Q. Do you know anything of the taking of the census in your county in 1865, and who took it?—A. I think a colored man by the name of A. L. Snead did so. He is a citizen of the town of Newberry, and a colored merchant. My knowledge of his dealings as an officer are very limited. I gave in the census of myself and household, including servants of all kinds.

Q. You do not know anything about it outside of that?—A. I do not know in such a way that I could lay it before the committee. I have heard say.

Q. State whether you have any knowledge of the reception, at the railroad depot of your town, of a box which purported to contain agricultural implements, but which, in fact, contained arms and ammunition; and if you say yes, tell the committee all you know about it.—A. I say yes. I am intendant of the town of Newberry, and have been for three successive terms. On the morning of the 14th of August I was approached by the agent of the Greenville and Columbia Railroad Company, and from him I received certain information. It is not legitimate, I suppose, for me to state the information.

By Mr. CHRISTIANCY:

Q. You may state what you did in consequence of that information.—A. He showed me a telegram advising him of the shipment of a box containing arms, but which was alleged by the consignor to contain agricultural implements, and apprising me that it was a suspicious box. That was about ten or eleven o'clock when I saw that telegram, and the train was to reach Newberry, I think, at 2.30 or 3 o'clock. At 4 o'clock p. m., I went to the depot and saw the box. It was a very heavy box, marked H. Bailey, Newberry, South Carolina. I kept my counsel as a peace-officer and directed him to do the same, but to keep an eye on the box, and to apprise me of the person who came to claim it, and to require his identification before delivery. On the next morning, the 15th, I was advised that there was a claimant, and an affidavit was made before me by Richard C. Walls, of Laurens, that in his presence a colored man—

Mr. CHRISTIANCY. That would hardly be admissible.

The WITNESS. It was sworn to before me that a man claiming to be H. Bailey, known to be a colored man of Laurens, had demanded the

box, and that in his presence the agent refused to deliver the box until he was identified. Watts did not identify him to Mr. Mazyck, the agent at Newberry. I then, as intendant of the town, called our council together, and, with their concurrence, I ordered the box to be seized and the man to be arrested. They both were done.

Q. State whether a negro went there to get the box.—A. Yes, sir.

Q. Who was the negro?—A. H. Bailey, of Newberry, South Carolina.

Q. State what happened.—A. I called my council together, as I remarked, and issued a mandate for the chief of police to seize the box and its claimant, and I had them brought before me, and the box was opened in the presence of myself and this claimant, Henry Bailey, to see if it contained shoemakers' tools. It was opened also in the presence of three colored men and two white men, all of whom were sworn to report impartially upon what occurred. Upon opening the box it was found to contain sixteen improved breech-loading Remington rifles, with about six hundred and seventy-five rounds of ammunition, ram-rods, bayonets, straps for the guns, stoppers for the guns, screw-drivers, screw-wrenches, &c. I have an exact inventory in my possession that I can give the committee, if desired, but this is, in the main, what the box contained. Whereupon I communicated the result, in detail, by letter, to Governor Chamberlain, a copy of which I have with me.

Q. Have you your correspondence with Governor Chamberlain?—A. Yes, sir.

Mr. MERRIMON. I propose to put that correspondence in as a part of Mr. Pope's testimony.

By Mr. CAMERON:

Q. I will ask if there was, at that time, any law or statute in this State prohibiting the shipment of arms, ammunition, or accouterments?—A. None that I know of, sir.

By Mr. MERRIMON:

Q. I will ask you, at that point, whether there is any statute that authorizes the shipment of arms that belong to the State government in the way those were shipped?—A. No, sir.

Q. From what point did this box purport to have been shipped?—A. From Columbia, S. C.

Q. And the dispatch you refer to was from Columbia?—A. Yes, sir.

By Mr. CAMERON:

Q. From whom was that dispatch?—A. I think the dispatch was from Mr. Bartlett, (his initials I do not know,) the depot agent here at Columbia, to H. B. Mazyck, the agent at Newberry of the Greenville and Columbia Railroad.

Mr. MERRIMON. I propose now to put in the correspondence of Mr. Pope with Governor Chamberlain on this subject.

The witness then read the following letter from a letter-press copy-book:

STATE OF SOUTH CAROLINA,
Court of Newberry.

To His Excellency Gov. DANIEL H. CHAMBERLAIN,
Columbia, S. C.:

The undersigned, of the town council of Newberry, beg leave to submit the following statement of facts:

1. A sworn statement was this day made by Robert H. Wright, William T. Tarrant, and James N. Martin that, on information and belief, there was a box in the depot of the Greenville and Columbia Railroad, in this town, consigned to H. Bailey, Newberry,

S. C., purporting to contain certain agricultural implements, but really containing rifles, and asking the town council to take such steps as would protect private property, and at the same time preserve the public peace. Upon the sworn statement of respectable citizens we issued our mandate, directed to the chief of police, requiring him to take and hold said box until the written order of this body should require its release, and accordingly Cyrus H. Guilhard, chief of police, seized said box, then in the possession of the Greenville and Columbia Railroad Company, and placed the same in the guard-house of this town.

2. Upon the sworn statement of Robert H. Wright, citizen of Laurens, that one Henry Bailey, a citizen of Laurens, S. C., did, in his presence, at the depot of the Greenville and Columbia Railroad Company, demand of N. B. Mazyek, the agent of said railroad company, the box hereinbefore referred to, which request was not granted by the said agent for the reason that the said Henry Bailey had no receipt therefor, and was to the said agent personally unknown, we issued our warrant for the arrest of said Henry Bailey on suspicion.

3. That the said Henry Bailey, when brought before the town council, denied that he was expecting any arms, but was expecting a box of tools which he had written to Columbia for; that if the said box contained guns he laid no claim to the same whatever.

4. The town council thereupon, with Henry Bailey, three colored and two white men, sworn to report faithfully, opened said box, and found the contents thereof to be sixteen Remington rifles, sixteen ramrods, one (leather) strap, one bayonet, fifty-four wipers, ten gun-stoppers, twelve screw-drivers, and fifty-six common cartridges, four hundred and seventy Remington cartridges, one hundred Winchester repeating-cartridges.

5. The said Henry Bailey denied that he was a member of the State militia, or any company thereof, or was an agent for any one who was.

6. The said Henry Bailey was thereupon discharged from our custody. From the appearance of the box, and of the statement published in the Columbia Register of to-day, that the guns in question were public property, to wit, the property of the State of South Carolina, and that they were in the hands of no authority recognized in the State as the proper custodian thereof, we have felt it to be our duty to lay the facts promptly before your excellency, with the request that if these are the property of the State of South Carolina, you will designate some public officer to whom they may be intrusted.

8. The town council of Newberry, impressed with the excitement in the public mind touching and growing out of the fact that arms are in the hands of indiscreet and unauthorized persons, thereby constantly threatening the peace of the State, would respectfully but firmly insist that the public arms, if they be so, should be removed to the State armory at Columbia.

Respectfully submitted.

Y. J. POPE, *Intendant.*

E. S. COPPORK, *Warden.*

GEO. W. PEARSON, *Warden.*

T. C. POOL, *Warden.*

JOHN C. WILSON, *Warden.*

The WITNESS. That communication was dispatched to the Governor on the day on which the arms were taken.

By Mr. MERRIMON:

Q. What day was that?—A. It was the day before the assembling of the democratic convention.

By Mr. CHRISTIANCY:

Q. The date of the letter is there, is it not?—A. No, sir; unfortunately it is not. It was the day before the assembling of the democratic convention, and that, I think, convened on the 16th of August. To that the governor replied in two or three days, and I regret to say I have not his reply with me. The substance, however, I can give to the committee from memoranda that I have in my possession.

By Mr. MERRIMON:

Q. State whether you had any further correspondence on the subject.—A. I had a letter from Governor Chamberlain two or three days after the report was made, acknowledging the receipt of this communication,

but in deference to what I understand to be the ruling of the committee I will not go into the contents of that letter.

Q. Give any further correspondence you had with him.—A. On the 3d of October, I received the following communication from the governor:

COLUMBIA, October 2, 1876.

SIR: Referring to your former communication of the , respecting a box of State arms taken into your official possession from the depot at Newberry Court-House, I now write you to say that I have been informed that the said box of arms is still in your possession. I had supposed that his honor Judge Northrop had made an order placing them in charge of the sheriff of Newberry County.

Under these circumstances, I will direct that they be sent by you to Columbia to my official address. I will thank you to advise me of the time of shipment.

Yours, respectfully,

D. H. CHAMBERLAIN,
Governor South Carolina.

Y. J. POPE, Esq.,
Intendant Newberry Court-House.

On the 20th of October his excellency directed the following communication to me:

COLUMBIA, October 20, 1876.

SIR: On the 2d instant I directed you to ship me a box of arms in your possession. I have received no reply, and I therefore write again to request an immediate reply.

Yours, respectfully,

D. H. CHAMBERLAIN,
Governor South Carolina.

Y. J. POPE, Esq.,
Intendant Newberry Court-House.

To that letter I replied as follows:

NEWBERRY, S. C., 24th October, 1876.

To His Excellency D. H. CHAMBERLAIN,
Governor of South Carolina:

Your excellency's favors of the 2d and 20th instant were presented to the town council of Newberry this day, and I am directed by that body to assure your excellency that they will take great pleasure in complying with your wish that the arms, &c., in question shall be sent to Columbia, provided proof is made that such arms, &c., are the property of the State.

The necessity and propriety of this step on our part will be at once evident to your excellency when it is stated that the arms, &c., were shipped from Columbia to Newberry by E. M. Suber to H. Bailey, both persons in private life, and in no wise connected with the State government, so far as this body is now advised.

Very respectfully, your obedient servant,

Y. J. POPE,
Intendant of the Town of Newberry.

Q. Was that the end of the correspondence?—A. That was the end of the correspondence.

Q. What became of the arms?—A. They are still in my possession as intendant of the town of Newberry.

Q. Were those public arms?—A. Yes, sir. When I call them public arms, I mean that they were not fowling-pieces.

Q. Were they Army guns?—A. Yes, sir.

Q. They were arms used for warfare?—A. Yes, sir; of a deadly character.

Q. They have not been called for since by anybody?—A. No, sir.

Q. Did Governor Chamberlain send anybody to identify or look after them?—A. That is hearsay.

Q. Did anybody call upon you in reference to those arms?—A. No, sir. Judge Northrop, the judge of our circuit, spoke to me on one occasion about them.

By Mr. CHRISTIANCY :

Q. Had he official authority to interfere in regard to them?—A. He is judge of that circuit. He had no more official authority to interfere than the governor. If the case was properly presented to him he might have more to do with them than the governor. No proceeding had been had in our court in regard to it, and I am frank to say that as the high peace officer of the circuit it was that he spoke to me.

By Mr. MERRIMON :

Q. Do you know anything further about these arms than you have already testified?—A. No, sir. I cannot recall anything further.

Q. Do you know anything about the general reputation of T. H. Cooke?—A. Well, I have known Judge Cooke for a number of years. I knew him at the bar, and since he has been judge, and I know of nothing anywhere against him. The only thing in the world that I knew against him was his official connection with the republican party in the State of South Carolina.

Q. Will you say that his reputation for truth is good, or otherwise?—A. I would answer that, from my own conviction of his truthfulness, I have no cause to say the least thing against him.

Q. Would you believe him on oath?—A. Most unhesitatingly.

By Mr. CAMERON :

Q. Who invited the democrats to be present at the meeting at Newberry Court-House, when Governor Chamberlain was there?—A. Well, sir, I will state: I was chairman of the county executive committee of the democratic party, and a subcommittee was appointed to confer with the representatives of the republican party of Newberry County in regard to a joint discussion. Colonel Ellison, S. Keitt, and myself were that subcommittee. We at once conferred with the gentlemen, white and colored, representing the republican party in our county.

Q. Who were they?—A. Joseph D. Boston, Harry B. Scott, H. C. Moses, James C. Leahy, and I think Senator H. C. Corwin was there, but I am not positive as to his presence; the other names I do not remember—there were probably ten of them. They had announced to us, upon the reception of our request, that there should be a joint discussion; that it would be out of their power to answer until they conferred with their speakers from Columbia, but that if we would repair to the depot and wait the arrival of the train with their speakers, they would there give us an answer. We did so, and H. C. Moses and Mr. Boston, and perhaps some other one, came to us and said that they had conferred with their speakers, and had agreed to divide time, with this proviso, I think, that Governor Chamberlain was to speak first, and be allowed an hour, as he was to go back on the down train, which passed our place about 2.30 o'clock. They also stipulated some other things that I cannot now recollect. After this announcement was made, that there was to be a joint discussion, I, as chairman of the democratic party of the county, advised them of it, and we followed right after their procession.

Q. When did you have this consultation with the republicans you have named?—A. On the morning of the day on which the speaking took place.

Q. Had the democrats of the county been invited, prior to that time, to be present at that meeting?—A. No, sir; they had not.

Q. How did it happen that so many of them were present?—A. I ordered them there as chairman of the democratic party.

Q. Did you order them there after you had this consultation with the republicans?—A. No, sir; I ordered them there before.

Q. Then I did not use the proper word. I supposed you would invite merely, but it seems you ordered. What authority had you for ordering them to be present at a republican meeting?—A. Understand me now. The republican meeting that took place was in the grove about half a mile out of town. I ordered them to the town, with the expectation that the republicans would allow the joint discussion.

Q. Then the fact is that you ordered them to be present at the town on the day of the republican meeting, intending to ask for a joint discussion?—A. O, yes.

Q. Was it a part of the policy of the democratic party that the members of that party should be present at republican meetings?—A. We intended to do so.

Q. Whether you were invited or not?—A. Public meetings you know are open to the world. There has never been any edict from the republican party saying democrats should not attend their meetings.

Q. But do you say that public meetings are open to the world, to the extent that the opposite party shall take possession of the meetings?—A. I never have observed anything of that character in my own county on either side.

Q. What authority had you for seizing that box containing arms, as you say?—A. I am intendant of the town, and by statute the same powers are given to the intendant of a town and his wardens, either severally or jointly, as are by law given to a trial-justice, wherever there is a suspicion attaching to property.

By Mr. CHRISTIANCY:

Q. Will you be kind enough to turn to the law to which you refer?—A. As soon as suspicion attaches to the possession of property, the magistrate, trial justice, or intendant has the right to investigate the matter, and it was under that view of my official duty that I did so.

By Mr. CAMERON:

Q. Has a magistrate that right under a statute of the State?—A. Immemorial usage gives it to him. I have never known a case of a refusal to exercise that right where property of a suspicious character was in the possession of any one.

Mr. CAMERON. Just turn to that law if you please.

[The witness examines the Statutes of South Carolina.]

The WITNESS. I think, upon reflection, that you will not find the laws regulating the incorporation of towns in these General Statutes. I do not see the act which was passed in 1870.

Q. I will ask you if there was any law of this State, at that time, prohibiting any citizen of the State from owning Remington rifles?—A. O, no.

Q. And there was no statute or law prohibiting any transportation company from shipping, or receiving for shipment, any kind of arms or ammunition?—A. I think not, sir. I speak of that without knowledge, and only from general impression. I cannot see any reason for such a statute.

Q. Please to explain under what right, or claim of right, you caused that box to be seized.—A. Well, sir, I will give you an answer as frankly as I can conceive. Early in July last, I think it was, so much trouble was brought upon the State by reason of the State arms being in the hands of irresponsible parties, that it made the citizens of South Caro-

lina exceedingly anxious that such things should not exist. I refer to the Hamburgh troubles.

Q. And you assume that the State arms were in the hands of irresponsible parties. Do you know anything of those facts yourself?—A. As I stated, I will try to be as free and frank as I may. This matter of the shipment of guns from Columbia had attracted suspicion—this very identical box. The Register, a paper published in Columbia, had published a paragraph, which was right under the eyes of the governor, on the very morning when I seized the guns. That paragraph called attention to the fact that this very box contained public arms, and that they had been sent up to Newberry to a private party. That was brought to my attention in that way—that they were public arms. Those matters were so suspicious in themselves that I felt it to be my duty, as a peace officer, to see to it that, if they were public arms, they should get into private hands by warrant of law, and not surreptitiously. It was said that the guns that had been sent to Hamburgh were State arms. It was announced in the public prints, and generally believed, and that they had been the cause of the trouble. In the upper portion of South Carolina, in 1870 and 1871, we had a great deal of trouble in that way—so much so that the governor of the State then called in his public arms and ammunition which had been put in the hands of the negro militia; and having such perfect peace in our section, we especially desire that it should be kept up. In my own county, I wish to state frankly that the whites and blacks live in the most perfect harmony as between white man and black man. I do not think we had a political disturbance, except probably the one I referred to, where the white man and black man struck. But whether that grew out of political differences I am unable to say.

Q. You do not know whether those were State arms or not, do you?—

A. Only by general reputation.

Q. You refused to return them because proof had not been made that they were State arms, did you not?—A. Yes, sir.

Q. Then can you say that you know they are State arms?—A. I only say as a general impression, as a moral conviction.

Q. I ask you if you can say that they are State arms?—A. I tell you only as a moral conviction. I cannot say so legally, because the adjutant-general, who is the custodian by law, would have to come forward and identify the arms as belonging to the State before I could say absolutely that they were State arms.

Q. I will ask you whether you did or did not refuse to return them to Governor Chamberlain, or send them to him, because he had not proved that they were State arms?—A. I refused to make proof for him. I desired that the public should be informed of this loose and surreptitious way of doing wrong in South Carolina.

Q. Then the statement in your letter was not true, was it?—A. It was. My statement in the letter was that "The arms shall be returned to you, provided you prove property."

Q. Did you then have any legal right to their custody?—A. Yes, sir; as peace officer, I feel that I had.

Q. But you can point out no statute under which you were authorized to receive them?—A. I understood you to ask me to point out the statute which gave to the intendant and wardens, either jointly or severally, the same powers that trial-justices have. I understood that to be the question, and I thought you were waiting for me to point that out.

Q. Do you claim that trial-justices have a right to seize property?—
A. Property under suspicious circumstances? O, yes.

Q. That must be a general statute?—A. They have a right to take up stolen property.

By Mr. CHRISTIANCY:

Q. On the supposition that they have the same right that trial-justices have, just show us the statutes or the right that trial-justices have in such cases.—A. Section 12, page 195, is as follows:

They [trial justices] shall have jurisdiction of larcenies, by stealing of the property of another, * * * * if the property stolen does not exceed \$20 in value.

SECTION 13. They shall have jurisdiction of the offenses of buying, receiving, or aiding in the concealment of stolen goods and other property.

Q. Is that the statute to which you referred as giving you power?—
A. I referred to these sections. I have not read all.

SEC. 15. They shall cause to be arrested all persons found within the county charged with any offense, and persons who, after committing any offense within the county, escape out of the same; examine into treasons, felonies, grand larcenies, high crimes and misdemeanors, and commit or bind over for trial those who appear to be guilty of crimes or offenses not within their jurisdiction.

Q. In other words, you refer to the chapter?—A. Yes, sir. You notice, in my proceedings, that I had both party and property brought before me. The party disclaimed any ownership, connection with, or control over it, and it was thereby left on my hands.

By Mr. MERRIMON:

Q. The box was addressed to him?—A. Yes, sir; it was addressed to him. I brought both person and property before me, and the person disclaimed that it was his property.

By Mr. CAMERON:

Q. Did any one make an affidavit before you that this was stolen property?—A. Well, the affidavit that was made before me was made by three responsible citizens. I have not the affidavit before me, and therefore I cannot tell exactly what they did state, but certainly they stated sufficient to cause me to call the council together.

Q. But was it alleged that the property was stolen?—A. I think it was more suspicion than otherwise. I do not know that they used the words stolen property, and I do not like to say that they did. I like to be careful about these things.

Q. I guess you may as well admit that you had no legal right to seize that property.—A. O, no, sir; I don't admit that.

Q. I wish you would furnish that affidavit to the committee.—A. I can do so. Now I say I can do so—I don't know why I should not be able to do so. It should be among the records of the town council. But I don't want you gentlemen to understand that I would not have seized the box of arms without the affidavit. I think, upon the information that I received, as a judicial officer it would have been my duty to have kept the box.

Q. What authority had the town council to interfere in the matter?—
A. Well, we have charge of the peace of our town, sir.

Q. You yourself are intendant, and you state that under the statutes of this State you have the same judicial powers that the trial-justice has?—A. Yes, sir.

Q. Have all the other members of the council the same judicial pow-

ers?—A. The same judicial powers, either jointly or severally. We can either meet as a body or as individuals. Of course, when I am present in the town, I am, by law, the intendant, and control those things.

Q. Did you issue any process directing the seizure of the arms?—A. O, yes.

By Mr. CAMERON:

Q. Please furnish us with that also.

The WITNESS. Yes, sir; my mandate was in writing, and under the corporate seal.

By Mr. MERRIMON:

Q. As a set-off to certain questions asked you, I will ask you whether there is any statute of your State which provides that arms may be shipped as agricultural implements to anybody?—A. No, sir; and not as shoemakers' tools, either.

Q. I will ask you whether the arms that you examined in that box are like the arms that belong to the State government here?—A. I cannot answer that question.

By Mr. CAMERON:

Q. Is there any statute in the State prohibiting the shipment of arms as agricultural implements or shoemakers' tools?—A. No, sir.

By Mr. MERRIMON:

Q. I will ask you whether guns shipped in that way would not be regarded as shipped under very questionable circumstances.

Mr. CAMERON. I object to that question as calling for mere matter of opinion.

(Objection sustained.)

JOHN R. TOLBERT.—ARBEVILLE COUNTY.

COLUMBIA, S. C., January 8, 1877.

JOHN R. TOLBERT sworn and examined.

By Mr. CAMERON:

Question. Where do you now reside?—Answer. Columbia, South Carolina.

Q. How long have you resided in Columbia?—A. A few days.

Q. Where did you reside before you resided in this city?—A. In Abbeville County.

Q. How long had you resided in Abbeville County?—A. Forty years.

Q. I will ask you if you are a native of that county?—A. Yes, sir; I am a native of Abbeville County.

Q. You have lived there all your life, substantially, until you came to Columbia?—A. All my life, except intervals of a year or two. I lived in Texas one year and in Virginia one year.

Q. To which political party do you belong?—A. I belong to the republican party.

Q. State whether you were a candidate for any office on the State republican ticket in this State at the last election.—A. Yes, sir; I was a candidate for superintendent of education.

Q. Did you take any part in the late political canvass in this State? and if you say you did, make a statement of the matters that came under

your own observation while engaged in such canvass.—A. I was put on the State ticket and assigned to certain portions of the country to canvass, and did canvass to a certain extent several counties in the State.

Q. Which counties did you visit and canvass?—A. I visited Anderson, Oconee, Abbeville, and Edgefield.

Q. This committee is charged specially to inquire whether the colored republicans were prevented from voting as they desired to vote by any sort of intimidation. You can give the committee any knowledge you have in regard to that.—A. I consider that unusual means were resorted to override—

Mr. MERRIMON. I object to that.

By Mr. CAMERON :

Q. State what those means were.—A. So far as I was personally concerned, I myself was frequently threatened by various parties.

Q. Now state what threats were made.—A. I was told by members of the democratic club, who were friendly with me, not to go to a certain place myself.

Q. Give us the information specifically, when and by whom it was told you.—A. For instance, a man by the name of Ellenberg, of Abbeville County, came to see me and told me that his democratic friends of Edgefield had got him to come and see me, for me not to go to Edgefield County; that a certain captain of the rifle-club in that county, whose name was Sheppard—and the man who told Ellenberg was Devoe; he was over there to Devoe's, and he told him to tell me not to cross the line into Edgefield County. I live right on the line, and that is how I came to get that message. I am interested in Edgefield as a planter, and of course would want to go occasionally to Edgefield and try to get an opportunity to get republican voters in that part of the country. I took every occasion that I dared to do it, and these men would send me messages. This man brought a message, that if I ever did come into that county and undertake to make my speeches, I would be shot down, and I have not been to Edgefield, although I own land in that county, but I have not been there for four or five months.

Q. Why not?—A. Because I do not want to get into trouble. I do not want to provoke riots. I was interested, and am still interested in peace. That was before the election, of course. This speaking business is all over now, but before election for several months I did not go to one plantation particularly that I have in Edgefield County, ten miles south of me.

Q. I will ask you if you deemed it dangerous on account of information received from democrats?—A. Yes, sir; from democrats themselves. I have some warm personal friends among the democrats—I suppose I may call them friends.

Q. Did you attend any republican meetings in Abbeville County?—A. Yes, sir; I was there on what they call "Big Tuesday." We had not held our State convention then, but I went there with the governor and superintendent of education, and Judge Hoge was there the day before; and I left there in the night after Big Tuesday.

Q. What occurred the day before "Big Tuesday," as you call it?—A. Well, I met Governor Chamberlain and his friends at Ninety-Six, and told them what was going on; told them how I had been treated there about my depot the day before, and how I had found everything that was going to be done, &c.

Q. Just tell the facts ; how you had been treated the day before.—A. Well, sir ; I was told the day before——

Q. By whom?—A. By democrats.

By Mr. MERRIMON :

Q. Name them.—A. Gentlemen, I know pretty near every democrat and every republican voter in my county. You may put down Moore and Eiseman ; they told me that we had to divide the time.

By Mr. CHRISTIANCY :

Q. Had that meeting been called as a republican meeting?—A. It was called as a republican meeting. I belong to the executive committee of my county. They asked me first something about the meeting. I affected ignorance as to what our programme was, and I tried to explain it as well as I could ; and after I got through with my explanation, these men told me what they were going to do. Said I, "Gentlemen, if you know so well what the programme is, why do you ask me about this thing?" Well, they would get mad and commence——

Q. What did they say they were going to do?—A. They said they were going to fix us ; they were going to show us how things were to be, and all that sort of talk. D. Wyatt Aiken was going to take care of Judge Hoge, who, at that time, thought that he was going to be the candidate for Congress, I suppose, and somebody was going to take care of the governor, &c. In other words, they intended to take care of our meeting—capture it ; which they did do.

Q. State what occurred on the day of the meeting?—A. Well, sir, I live twenty-five miles from the county-seat, and I left home about midnight, I suppose, in order to avoid entanglements on the way, but I was detained at a plantation I have, and I had to stop a while before daylight to look after some matters, and about sun-up I got to Greenwood. That is twelve or fourteen miles this side of my house, and after I passed Greenwood a piece, some parties, who I supposed were going to Abbeville, just before I got to them, fired off their pistols and yelled.

Q. Were you in a carriage?—A. No, sir ; I was on horseback. I did not know exactly what to make of it, and after a while a democrat, Captain McTaggart, galloped up to me. He is an old friend of mine, and was captain of a rifle-club at Greenwood. He had on his pistols, and I am very familiar with the gentleman ; he has been my physician, and friend, and schoolmate, and is a friend of mine yet, personally. He galloped up, and I stopped my horse. Said I, "Doctor, I don't know but what I will be saluted as I was a mile or two back here." Said I, "They have been shooting around me this morning, and I don't know what to make of this thing." "Well," he says, "I have been your friend, and have voted for you as a republican ; but," he says, "we are going to carry this election. While I am friendly with you, we are going to carry this election." Said I, "What do you mean by that?" He says, "I will tell you this thing is going to be hell." That is just what his remark was. Said I, "Mose, you have known me all your life ; you have voted for me ; and you still profess personal friendship toward me, and," said I, "I don't know what that means." "Well," he said, "this thing is going to be hell, and we are going to carry this election ; the white people of this country shall control it, and every man who ain't for us is against us ; and it has got down to this, and you have got to vote a democratic ticket, and you have got to go with us, or you have got to be a nigger." Said I, "I have accepted the situation long ago, and," said I, "it don't make any difference with me, and you know it." Said I, "I have been through one or two of these things you call 'hell'

already, in Abbeville County;" and he says, "It will be hell; I never passed through any hell before." He galloped down the road, and told me that there was 150 or 200 soldiers (rifle-club men) coming from Edgefield, and he had to go down and see the Buck Level gang and some others, and I left him in that condition. He was armed, and had two pistols buckled on the outside—old army pistols.

Q. Were the white men armed that day?—A. Certainly. They were conspicuously armed. I have a brother who lives between Greenwood and Abbeville, and I got off my horse at my brother's house and turned him loose myself. I didn't even wait for the servants to take him; and I hadn't got into the door good before the cavalry came on, marching in twos, galloping, hooting and yelling; and they all knew me, and they would holler out my name. I stopped at my brother's to get my breakfast; and they would holler out my name, saying, they would take care of me to-day: "We will take care of you to-day, John," and all that sort of talk. I told them I was going on to Abbeville myself directly; and I did go there. There were rifle-companies formed along the road clear on to Abbeville. I had no idea of seeing so many, as I remarked to Judge Cooke. I saw him at the depot; and I said, "Judge, Governor Chamberlain is the most popular man in this State; I had no idea he was so popular." I staid with the judge a good deal that day—but I suppose it is not necessary for me to give an account of the meeting, as it has been published and rehearsed so much. I stood in front of the stand. I went with the governor to the stand. I followed our flag down to the stand. It was carried over by a colored man. I went there with the governor and took my position in front of the stand, and stood there for six hours on my feet, and heard all the speech.

By Mr. CAMERON:

Q. You may state what occurred at that meeting.—A. The governor made a conservative speech; just such a speech, I reckon, as he was obliged to make that day; and Col. D. Wyatt Aiken responded to it. He said he did not want but a half hour to demolish the governor. His proposition was, that Chamberlain's administration had been corrupt and hypocritical. Those are his identical words, I think; and he called him a liar and a thief, and all sorts of things like that; and said something about war in his speech, and "war to the knife, and the knife to the hilt." The way that came in, a colored man had said a night or two previous to the meeting that Colonel Aiken should not speak at Abbeville Court-House on Big Tuesday. It was a republican meeting, and they were not going to let any democrats speak. When he got to that he just said something about letting slip the "dogs of war," and "war to the knife, and the knife to the hilt," and I suppose he meant just what he said. He was mad. He is always mad.

Q. That was his chronic condition?—A. Certainly; I know him well. The democratic orators, except General McGowan, (he made a very good speech,) were rather inflammatory in their remarks. Colonel Cothran said that people ought to salt the radicals. I do not know exactly what that means. He said they ought to go to our meetings and not let the radicals have a single meeting. "You go there and see them." I don't know what that means, either. I have an idea what it means, both to "see them" and to "salt them." Those two expressions were very frequently used that day, in reference to our meetings and our politicians generally. There was a big colored man over there, and Col. D. Wyatt Aiken pointed him out—Tom Williamson, a big mulatto politician from Saluda—he pointed him out threateningly.

Q. How did the democrats come to speak at that meeting?

The WITNESS. To capture our meeting?

Mr. CAMERON. Yes.

A. Well, we got down there, and raised our flag, and raised a sort of platform ourselves that morning, and of course it was previously agreed that there was to be a division of time. That was done in order to prevent a riot or fuss. It was agreed the evening before to have a division of time, and who was to speak, and so on. Well, as soon as we got up there, Colonel Cothran, representing the democrats, was on the stand, and a republican manager was on the stand, too. Our flag was put up there, and by that time there came another man, and then another, and so on; and they just formed in, and a few of our party were in front of the stand; in fact, I took my position there, and the democratic cavalry were come around, and we were just encircled with fire and steel. I could feel the breath of their horses frequently, because I was just in front of the stand, and stood there for six hours. They formed around us, and in that way they captured our meeting, and had everything their own way.

Q. How many mounted and armed men were there, in your opinion?—

A. There were about two thousand mounted democrats, I suppose, as far as I could judge. I did count a good many of them on the road and in the village after I got there, as they were formed up on the road. There were men there from Anderson, from Edgefield and Abbeville, from Laurens, and I suppose some there from Georgia. There were a good many there, at all events, that I didn't know, and I suppose there were two thousand mounted cavalry that day, and we fellows were hemmed in that day, and had to stay there; we could not even go and get a drink of water; it was, "Come back here; you have got to hear this argument out; come back." It was a very hot day in August, and I have a very lively recollection of that day, and this whole campaign; it has hurt me.

Q. Were the white men generally armed on that day?—A. Certainly; I say they were conspicuously armed with side-arms, and a great many had guns. There were wagons there—not at the place, but on the road—that I suppose were loaded with guns. I did not see them, but it is my belief they were loaded with guns.

Q. Do you know a man named L. P. Guffin?—A. I have known him eight or ten years.

Q. Do you know what his reputation is for truth in that community?—A. Well, he is like a good many other men in a heap of things, and a man is not believed if he belongs to a certain political party; but as far as I have had dealings with him—I have had certain transactions with him, officially and privately, and I would believe him individually. I have a great deal of confidence in the man. He is outspoken, frank, and brave. I have known him a long time, and I have a good deal of confidence in him. He has been identified with myself politically, and I have had some business transactions with him, and I know him very well, and have known him for ten or twelve years, and I would believe him.

Q. How do the white and colored races in your community compare as to numbers?—A. We always had about 2,000 or 1,800 republican majority.

Q. Then the colored population exceeds the white?—A. O, certainly, it does. Our county is pretty well populated, and we always claim from 1,800 to 2,000 republican majority in our county.

Q. I will ask you if you ever heard any colored people, or republicans, of your county state that the reputation of Guffin for truth was bad? [Objected to by Mr. Merrimon, and objection overruled.]

A. Mr. Guffin has his enemies, of course; I have heard the white people of the county say that he had too much influence with the colored men.

By Mr. CHRISTIANCY:

Q. Take the white people and the colored people together in your county, and take the reputation of Mr. Guffin as it would be with the majority of the people, would it be good or bad among the whites and blacks taken together?—A. It would be good so far as the majority is concerned, because he has been elected to office by a majority of the people in the county.

By Mr. CAMERON:

Q. How is it in regard to the reputation of his brother, L. L. Guffin?—A. I don't think as much of L. L. Guffin as I do of Pem, the sheriff. He is smart and shrewd, and I never had as much to do with L. L. Guffin, in fact, as I have with Pem Guffin.

Q. Do you know William H. Heard?

The WITNESS. The representative from Laurens?

Mr. CAMERON. Yes.

A. Yes, sir; I know him pretty well.

Q. How long have you known him?—A. I don't know.

Q. Several years?—A. I think I have known him for about two years.

Q. Do you know what his reputation for truth is in that community?—

A. Well, I have been—

By Mr. CHRISTIANCY:

Q. Take the whole majority of the people, black and white, what would be his reputation among them?—A. I have had but very little private dealing with Heard.

By Mr. CAMERON:

Q. We do not inquire about that.—A. My private opinion is—I believe that the majority of the people in my county would believe him to be an average truthful man; he is a little better than an average man. He is a man of some intelligence. I believe a majority of the people would sustain him as a man to be believed upon his oath. I would believe him, if you put the question that way.

Q. You would believe him under oath?—A. Yes, sir. He has been teaching school in my county.

Q. Do you know anything about the formation of rifle-clubs in your county?—A. No, sir; I was never in a rifle-club in my life.

Q. Have any of the democrats connected with rifle-clubs informed you that they were organized?—A. Yes, sir; O, yes.

Q. What have they said to you upon that subject?—A. Well, the democrats have frequently told me that they had the thing fixed, and they would say, "We are going to carry this election." I asked the question, "How can you do it? We have got the votes, and it takes votes to carry the election." They would say, "Well, we are going to do it; we are organized, and we are going to do it; we have never been organized before in South Carolina, and we are organized now, and we intend to carry this election." That was the way they talked to me.

Q. It has been stated here by a good many democratic witnesses that the spirit of this campaign upon the part of the democrats was peace-

ful; I want to know whether you saw that spirit manifested in your county?—A. I haven't been the recipient of any of it; I have been heretofore in the county, and last election I was popular with the democratic party; they voted for me with unanimity, but I commenced feeling this thing about the 26th of May, when this Harmony affair on the edge of Edgefield occurred. I began to feel the effects of the democratic policy in this State, and from that time I have been feeling it, but it has not made that impression upon me at all. Men who used to be friendly with me in church, and in business, and in office, and all that sort of thing, now refuse to speak to me when I would hold out my hand and greet them. They would talk to me in this way: "I won't speak to a republican;" men that I was brought up with and went to school with and had business intercourse with, and men who voted for me two years ago for office in my county. I have never seen any indication of the peaceful solution of this thing on the part of the democratic party. It is all right if you vote the democratic ticket; they told me that. Men wanted me to go on their ticket; said it would be all right, and "We will vote for you again." Said I, "I can't do it; we are making a different issue now, altogether."

Q. Do you know, personally, whether the democratic clubs or rifle-clubs were riding around nights in the country?—A. Yes, sir; I know that they rode around my place nights, two or three times.

Q. How many men did they have?—A. About 25 or 30 in all, probably. I have seen 25 or 30 men riding around my premises.

Q. What did they do?—A. On one occasion they took guns away from some colored men that they met on the road. They would discharge their pistols opposite my house. That has been done in the daytime, and on Sunday, so far as that is concerned. In going from church the democrats have done that; stopped at my gate and fired off their pistols and hollered.

Q. What do you know, if anything, in reference to colored men having been discharged for the reason that they voted the republican ticket?—A. I know that on my own land there are men now who were discharged. I know some men who are just building houses on my land because they could not live anywhere else, they say. I know one man who is on my land, who is a well-to-do farmer; Mr. Brooks discharged him.

By Mr. MERRIMON:

Q. Do you know that of your own knowledge?—A. I do know that of my own knowledge; and a man named Talliaferro Logan, he voted for Mr. Chamberlain, contrary to his landlord's direction. He had sowed some wheat on Mr. Brooks's plantation, and Brooks told him to leave; that that was the club arrangement. I know another man, Mr. Haralson, and he engaged with him and sowed some wheat there. Mr. Haralson goes to the club, and the club tells him, "You can't keep Talliaferro; he is proscribed."

Q. Do you know that of your own knowledge?—A. I know this: I know I saw him sowing wheat at Haralson's, and I know that he is on my place now, and that he had to build a house after he came from that place, and I know that Mr. Haralson wanted to retain him after he made the agreement with me. Mr. Haralson belonged to the democratic club at Greenwood, and belongs to a class of people who ought to be republicans. I have got another man, by the name of Robert Mays, on my place, that Mr. T. C. Lipscomb, of the Ninetysix Rifle-Club, let him

work land last year, and Lipscomb told this Mays some time ago, "You must leave; you are proscribed."

Q. Do you know that of your own knowledge?—A. Mr. Lipscomb and I don't speak. He has said that he would not be a democrat, when they were trying to get me to go into this movement. He said, "Men, if you let Tolbert into this club I am no longer a democrat." A democrat told me that.

Q. Do you treat rifle-clubs and democratic clubs as one and the same thing?—A. I do, sir.

Q. You do not draw any distinction between them?—A. No, sir, I don't; "a democratic rifle-club or organization" is what I call it and regard it.

Q. You do not make any distinction between them at all?—A. No, sir, I don't, and have not.

Q. I ask you now if a large portion—an indefinite number—of respectable people in your county, whom you respect and who respect you, at least personally, do not regard both of these Guffins as men of bad reputation?—A. No, sir, they don't; not so far as Pembroke Guffin is concerned.

Q. I want what the people say.—A. The people say so, and the majority of the people have given him an office. It don't make any difference—you mean intelligent people.

Mr. MERRIMON. Yes; I speak now of the intelligent people of your county, capable of appreciating character.

The WITNESS. You mean the democratic party?

Mr. MERRIMON. If that means the democratic party. You seem to be intelligent, and you are not of that party.

A. I say that I believe the sheriff is popular with the majority of the people, irrespective of parties or races. He has some traits that even his enemies admire.

Q. How about the other Guffin?—A. I have never had much dealing with him. I say I don't like him as well as I do the sheriff.

Q. I do not want your personal likes or dislikes; it is what the people say of him?—A. The majority of the people sent him to the legislature two years ago.

Q. I speak of the intelligent and appreciative portion of the people in your community; whether the intelligent and appreciative part of the people of your county say his reputation is not bad.—A. I say this: this Mr. Lem. Guffin, in my county at one time, was subjected to a suspicion which did injure him with his own friends—a treasury matter with which he was tangled up; but I say, after that Mr. Guffin, so to speak, recovered himself, and was elected to the legislature by a majority of the people of my county, and that is a responsible position.

Q. And a majority of the people in your county are negroes?—A. The negroes are in the majority; yes, sir.

Q. Did you vote for him yourself?—A. I did, sir; and I voted for him, the last time, for clerk of the court in my county. That shows what I think of him.

Q. Now, as to Heard; how do the same class of people regard Heard? The WITNESS. The white people, do you mean?

Mr. MERRIMON. Yes.

A. I have never heard the white people say anything against Mr. Heard. They look upon him as a young man of some ambition. I have heard them express themselves in that way; that Heard was inexperienced, but was a man that would try to learn something.

Q. Does he live in your neighborhood?—A. No, sir; not in my im-

mediate neighborhood. I have heard democrats say that about Heard.

Q. In all these troubles, nobody offered you any violence?—A. O, yes, sir.

Q. Did they strike you?—A. No, sir.

Q. Did they shoot you?—A. Yes, sir; they pulled a pistol out on me. I don't know that anybody has shot to kill me.

Q. Have you been in public life much?—A. I have been tangled up in politics ever since 1868.

Q. Always on the republican side?—A. I haven't had office. I have run on the republican ticket. Ever since the surrender I have been a republican.

J. M. JOHNSON—MARION COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

J. M. JOHNSON sworn and examined.

By Mr. MERRIMON:

Question. State your age, place of residence, business, and with what political party you affiliate.—Answer. I am thirty-six years old; I reside in Marion, S. C.; I am a lawyer by profession, and I affiliate with the democracy.

Q. State whether you took any part in the late political campaign in that county, and if you say yes, state what it was.—A. I was candidate for county commissioner, and was a member of the central executive committee for the democratic party of the county.

Q. Were you, therefore, familiar with the campaign, and the manner in which it was conducted in your county?—A. Yes, sir; entirely so.

Q. State whether it was any part of the policy or practice of the democratic party in your county to intimidate the colored people by threatening violence to induce them to vote the democratic ticket?—A. Their policy was entirely the contrary. Their policy was to win them over, and no pains were spared to seek opportunities to address them when we could do so. County meetings were generally appointed by the opposition, so as to prevent the attendance of colored people, as much as possible, at our stated meetings.

Q. I ask you whether you sought to induce colored men to vote the democratic ticket by threats of violence?—A. Not at all, sir.

Q. Is it within your knowledge that anybody else did?—A. Not at all, sir. I know, however, that I was mainly instrumental in getting up at the court-house what I call the Hampton club among the colored people, and the greatest obstacle was the wives of colored men themselves. Their wives persecuted them very severely, and to my certain knowledge, on some occasions, and at the public meetings, threatened to go with them to the polls in order to prevent them voting the democratic ticket, and they were instructed by such men as Cardozo, the late secretary of state, and others to do so.

By Mr. CAMERON:

Q. Do you know that of your own knowledge?—A. I heard him in a public meeting make what I considered a very vulgar utterance. He instructed the colored ladies what to do with their husbands in case they voted for Hampton.

By Mr. MERRIMON:

Q. What did he tell them to do?—A. Not to sleep with them any more; a very severe punishment, too. I know of another instance particularly, where a Hampton colored man in the county attracted a great deal of attention.

Q. Who was he?—A. His name was Isaac Butler. To my personal knowledge he was taunted considerably on the streets, and on two several occasions he came to me with great complaints on account of the assaults and taunts which he had suffered most violently.

Q. State whether there was any trouble there about any division of time in your political discussions, and if you say yes, give us to understand how it arose and terminated?—A. On one occasion we had a joint discussion at the court-house, but never afterwards could we secure another one. The colored people through the entire country showed a great disposition to go with us. They complained that the foreign colored people imported from Charleston and the North were getting the offices while they were left out. We had a joint discussion on one occasion and then a grand meeting at the court-house. I went on the stand in person, and Mr. Cardozo was there on that occasion and asked for a joint discussion. He said it would give him very great pleasure to have a joint discussion. General Butler was there, and he consulted with the other speakers and arranged a plan for speaking, but finally the chairman of the meeting said there could not be a joint discussion, although the majority of the people there were overwhelmingly in favor of a joint discussion. That decision created great dissatisfaction among the colored people, and the colored Hampton clubs we had grew very rapidly after that. They said the leaders certainly had a great many things to conceal if they would not have those joint discussions. You asked me about intimidation, I believe.

Mr. MERRIMON. Yes.

The WITNESS. I do think that the most striking instance of intimidation in that county was on the part of Federal soldiers. They were there for some sixty days before the election, and on the very eve of the election—I think two days prior to the election—they went out suddenly to arrest the parties that were concerned in this visit to the house of one Simon Crawford, on the 16th of September. On the eve of the election they made arrests of parties in that neighborhood and brought them in between midnight and day on Sunday morning.

Q. Just before the election?—A. Just before election on Tuesday.

Q. And that transaction took place in September?—A. In September, and the warrant that was issued for the arrest of these parties charged that Simon Crawford was hindered from advocating the election of C. C. Bowen and others, and it was absolutely before the nomination of Bowen. The parties retained me to appear before the United States commissioner as their counsel, and we bailed them out as fast as they were brought in, and the soldiers became discouraged. The colored people saw that the law was stronger than the United States Army even.

Q. If you heard any of them say anything about it, you can state it.—A. I propose to rehearse what I heard them say.

Q. You may say what you heard them say.—A. I say that the colored people expressed themselves in regard to that matter as being much dissatisfied, and I would not have so stated unless they had done so. I heard them myself. On Sunday morning I went to the marshal, and told him that if he was to continue arresting people we would come to the conclusion at once that it was for the purpose of intimidating our people to prevent them from voting. The commissioner first answered,

when I went in, that he could not give me a hearing until after the election. I told him then, "Suppose that we waive a hearing." "Well," he said, "if you waive a hearing, of course I will have to bail them;" and that is the way the bailing business started. Then the marshal said that he was bound by the action of the commissioner, and the commissioner said that he was egged on by Simon Crawford, and finally I told the marshal if he would give me a list of the names of the persons he wanted I would have them report at my office, and they would make their appearance at court without the aid of any soldiers. They did so, and they were brought before the commissioner on this very charge of visiting Simon Crawford's house. Simon Crawford, on that occasion, appeared on the preliminary hearing. The cases were begun, and he appeared to testify about being hindered in advocating the election of Bowen, and among other things said that if he swore to anything about being hindered from advocating the election of C. C. Bowen and others for presidential electors in any affidavit, he was dreaming when he did so and didn't know anything about it. I know that the presence of the soldiers there just prior to the election did really demoralize our people very much. I mean the democracy, and especially the colored club.

Q. Do you know Simon Crawford?—A. Very well, indeed, sir.

Q. Do you know his general reputation?—A. I know what is said about him generally, and I have had some dealings with him.

Q. What is his reputation for truth and honesty?—A. I don't think he is reliable, sir.

Q. Would you believe him on oath?—A. I would not where he was interested.

Q. What is his reputation for violence?—A. Well, he is considered a violent man. He is feared in the community where he lives.

Q. Do you know D. F. Berry?—A. Very well, indeed.

Q. Who is he?—A. He is the sheriff of our county, and holding over for the present until his successor is qualified. His successor has not qualified as yet.

Q. Do you know whether at any time he was put in jail for any cause?—A. Yes, sir. I had occasion about six years ago to defend him on a charge of assault and battery. That is the only time that I know of that he has been in jail. He was convicted of assault and battery, put in jail, and afterward pardoned.

Q. Who pardoned him?—A. The then governor; I think it was either Scott or Moses.

I would state in connection with Daniel F. Berry, if you will allow it, that he is a man of high character. He was never charged with stealing, until since I came here, I heard a charge of that sort. He is a very efficient officer, and, generally, I know a good deal about the way he behaves, because I have had occasion to notice.

Q. I will ask you whether he is a popular man with both parties.—A. He was until recently. Simon Crawford has managed to create a good deal of opposition to him among the colored people.

Q. What do you know, if anything, about Simon Crawford's marching with colored men upon the town of Marion in your county?—A. Well, the most I know about that is simply a report to that effect, and then the effect that was produced on the county, and the conduct of the citizens afterward, and couriers going back and forth, and the colored people coming in that direction.

Q. Did you see them?—A. I did. After the excitement was over, I saw Simon ride in the town. He rode in in a sulky, and afterward left unmolested. Then I was applied to by parties to know what to do.

Q. State anything that you heard Simon Crawford say about Henry Berry Lowery.—A. He was a noted outlaw in Robinson County, North Carolina, which joins Marion County, South Carolina, and he has killed a great many good citizens in Robinson County.

By Mr. CHRISTIANCY :

Q. Do you know that fact of your own knowledge?—A. Well, I know it about as well as we know the fact of anybody being killed.

Q. Did you see it?—A. No, sir.

Q. It is simply hearsay?—A. Yes, sir.

By Mr. MERRIMON :

Q. I will ask you if you know that Henry Berry Lowery is noted as an outlaw.—A. He was.

Q. State what you heard Simon Crawford say about Henry Berry Lowery.—A. I asked him this question before Mr. Commissioner Stoeber, after that visit was made to his house Saturday, whether he hadn't said on the next day to Mr. Douglas McIntire and Mr. Evans that he had to go to Marion on Monday in order to obtain legal redress to punish Berry and Evans for that visit, and if he failed to get legal redress he would move his family to North Carolina and take to the woods, and that Henry Berry Lowery would be nowhere, to use his own language; and he said that he had said so in the commissioner's court.

By Mr. CAMERON :

Q. Is Crawford known in your vicinity as a republican, or radical, as you call them up there?—A. We call them republicans when they are decent. A radical is known as a more odious branch of the party. I think he has always affiliated with that party so far as I know, but not very prominently. He is not known as a leader.

Q. Did you see his army when it was approaching Marion?—A. It turned back, I was informed.

Q. Did you see it when it was approaching?—A. I declined to go and negotiate.

Q. You declined to be one of the peace commissioners?—A. I declined to go out and negotiate. I just told Offley to tell him to come on, that we were not alarmed.

Q. That is the truth of the matter, you were not alarmed?—A. Some were. Stores were closed and schools dismissed, and some were alarmed, and I was uneasy, but I told him to tell Simon that I was not alarmed, because I was afraid it would embolden him if he thought we were alarmed.

Q. You didn't see his army?—A. No, sir.

Q. What time in the day did that formidable army approach the town?—A. In the forenoon, I think, if I recollect rightly.

Q. Was it a bright, pleasant day, or did he seek a stormy day to frighten the people?—A. It strikes me that there was nothing unusual in the weather; I don't happen to remember that there was.

Q. How large an army went out to meet him?—A. I think a couple of yellow men in a buggy was the delegation.

Q. And pretty soon Simon came in in a sulky or gig?—A. Pretty soon Simon came in in a sulky. I had some very reliable information, which I cannot state, as to the size of his army and its behavior. We had full reports.

Q. Did not Berry and Evans avoid arrest after warrants were issued for their arrest by the United States commissioner, under your advice?—A. I cannot say that they did. I didn't advise them positively. I told

them that if they found out that they were trying to prevent them from voting they must try to vote; that we wanted every white vote in the county, but not to resist the soldiers. I advised them not to resist the soldiers, but to try to vote, and to appear at my office the next day after the election prepared to give bonds. That was my advice. I did tell them to try to vote, but not to resist if they were overtaken. They didn't stay at the court-house; they went to some country polling-place. I didn't want them arrested, because I knew it would be very demoralizing on our party.

Q. Did the democrats receive as large a vote as usual in your county?—

A. Yes, sir; they did.

Q. It was a larger vote, was it not?—A. Considerably larger than usual.

Q. So on the whole you don't think Simon Crawford intimidated the democrats very much, do you?—A. No; I don't think Simon Crawford cost one vote to the party, but I believe the soldiers did intimidate both white and black.

Q. Do you know when warrants were issued for the arrest of these parties by the commissioner?—A. I had information.

Q. You were counsel for some of them, and I don't know but you saw the warrants at some time.—A. I saw the warrants, but I really don't remember the date of the warrants, but I think they were issued quite a short time before the election. Yes; I saw the warrants.

Q. Are you a member of a rifle-club in your county?—A. I was a member of a chartered rifle-club; yes, one of the charter members of a club, chartered by the clerk of the court under an act of the legislature, the charter bearing the seal of the clerk of the court.

Q. Who was captain of that company?—A. J. D. McLucas was at that time.

Q. Of about how many members did it consist?—A. I don't remember; I think at one time about one hundred.

Q. Last summer how many men were members of that club?—A. I never have had occasion to turn off one under the constitution and by-laws.

Q. What I am trying to ascertain is, about how many members the company consisted of.—A. About one hundred I say is the highest number we reached.

Q. When did that club dissolve?—A. We never met to dissolve or to do anything after the proclamation of the governor. We just quit meeting.

Q. Then the club has never been formally dissolved?—A. Well, it has been informally.

Q. I ask if it has been formally dissolved?—A. No; we didn't meet after the proclamation of the governor, but our charter is in existence, and perhaps it would take an act of the legislature to take the charter away from them; I don't know about that; but still they don't consider themselves an organization; I know that fact.

Q. All that they did after the proclamation of the governor was issued was merely to discontinue their meetings?—A. Merely to discontinue their meetings. They disbanded. To use their own words, each man went to his own home.

Q. You say they didn't meet?—A. Not as a rifle-club.

Q. They took no action except merely not to meet, in reference to the proclamation?—A. That is strictly so.

Q. With what weapons were the members of that club armed?—A. They were not armed at all except such arms as each member might

see fit to have for himself. They never drilled with arms. They used to drill, go through the steps, but never met with arms. The company never met with arms that I know of. Several members have guns of different kinds, and many of them have pistols, I suppose, but they never even met under arms of any kind.

Q. You say Berry is a man of high character, I believe?—A. Yes, sir; he makes the best sheriff we have ever had. He takes good care of the money, and executes his papers first rate, and stands high in the community.

Q. About how often does he get drunk?—A. Well, recently, since he was in office, Berry drank none that I ever noticed until about the time of this election. During the election I noticed him under the influence of whisky a time or two.

By Mr. CHRISTIANCY:

Q. Do you mean during the time of the election campaign?—A. Yes, sir; and some since; but he has quit off again, I noticed.

By Mr. CAMERON:

Q. The democracy had rather a demoralizing effect upon him, did it not?—A. Well, I believe he affiliated with the democracy pretty soon after he was elected.

Q. He was elected by the republicans?—A. Nominated and elected by the republicans. He was always a democrat until he was put in jail, but, I think, they took him out and ran him for sheriff some way.

Q. Being put in jail converted him to radicalism?—A. I suppose so; though I think it was rather the taking him out of jail. He was put in jail by the democrats, so to speak.

Q. And taken out by the republicans?—A. Yes, sir.

Q. And then they ran him for sheriff?—A. Yes, sir.

Q. And he has made the best sheriff you ever had in the county?—A. He makes a very efficient officer, there is no doubt about that. He is a good detective as well as a good manager of his office and the finances, and every department, so far as I have noticed.

By Mr. MERRIMON:

Q. Did your rifle-club have any political significance?—A. None whatever. It was very much patterned after and similar to those clubs they have in cities; and to make it a permanency, they had chartered it for social purposes, and perhaps improvement some day in markmanship, so that we could have an anniversary and put up prizes, &c. The republican legislature passed the act allowing us to organize.

By Mr. CAMERON:

Q. How many republicans were members of that rifle-club?—A. Not one that I can think of at this time. In fact the great majority of republicans with us are colored people. They are generally poor and have to work very hard.

Q. As far as you know, then, all the members of the club were democrats?—A. I think they were all white men.

By Mr. MERRIMON:

Q. But it is a *non sequitur* to say that therefore their organization is political?

Mr. CHRISTIANCY. Who in the world ever heard of a witness swearing to a *non sequitur*?

The WITNESS. If I am allowed I can say why that is; I can give the reason of that.

By Mr. MERRIMON :

Q. State that.—A. The parties who have tastes in that direction, for a society of that kind, are generally and almost entirely, in our community, democrats. The colored people some day, when they become educated and have leisure, will then have tastes for that, too; but the society is non-political. There is not a word about politics in its constitution. It is true we did ballot for members.

Q. There is no political reason why a republican should not belong to it?—A. Not a particle; and if William H. Carey, who is there from Pennsylvania, and who is a republican, had applied, he would have been unanimously elected. He is a gentleman of high character and a Hayes man. He is a shingle-gatherer, and his father lives in Philadelphia, and he stands in the first walks of life there.

By Mr. CAMERON :

Q. Did he not vote for Hampton?—A. Well, it is in dispute, and I have never asked him about that. We are personal friends. I hear it reported that he voted for Hayes, but some say that he voted the whole republican ticket with the exception of Colonel Blue for the legislature and myself as county commissioner.

Q. He does not take a very active part in politics, does he?—A. He works a good many hands, and I think has considerable influence over them. We think that he ought to have persuaded them to vote for Hampton, and thought right hard of him because he didn't.

J. A. BEATTIE—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

J. A. BEATTIE sworn and examined.

By Mr. CAMERON :

Question. Where do you reside?—Answer. In Columbia.

Q. What is your age?—A. Thirty-six.

Q. Where were you on the 7th of November last?—A. At Edgefield Court-House.

Q. What office or appointment did you hold at that time?—A. I was serving as chief deputy marshal of that county.

Q. Will you please give the committee a narrative of what you saw and did in Edgefield on that day with reference to the election?—A. Shortly after the polls opened at box No. 1 I visited that box. When within some fifty or sixty yards of the court-house I noticed quite a crowd of men in front of the court-house, on the portico and steps; they were white men. Shortly after that I met General Butler and Dr. Jennings. I asked General Butler how it was that no colored men were allowed to vote, and as to whether they could vote or not at box No. 1. This was in the presence of other parties that I asked him that question. He stated that the whites had got the start of the negroes, and would not yield until they had finished voting. I then asked him about what time he thought they would finish, and as to whether they would leave the portico when they had finished and let the colored men come up. He stated that they would do so, and I then visited General Brannan's headquarters, and consulted with him about the matter; and he stated that Generals Butler and Gary had called upon him that morning and stated that the whites would get through voting by ten o'clock

and then allow the colored people all the opportunity they wanted to vote. In consequence of that assurance from Butler and Gary he advised me to wait until after ten o'clock, a few minutes, before taking any further steps. I submitted to General Brannan; I could not do otherwise, in fact. I then visited box No. 2, at Macedonia church, in company with the United States commissioner. I took that precaution to take him along so that he might see the true condition of things. When we neared there I noticed some 300 or 400 mounted men.

Q. Armed men?—A. Yes, sir; they were in front of the entrance to the church—that is where voters had to pass in—and also around the window where they had to pass out. The commissioner and myself made our way through the crowd and passed in after some difficulty. When we got into the room I noticed several white parties voting; after they had voted and passed out there were several other whites entered. That occurred, I think, two or three times. They entered and voted without any trouble whatever. They were then running short of white men to vote, and some colored men attempted to enter the church, but they were jammed up against the church.

Q. By whom?—A. By these white men. Some were struck over the head by bludgeons or some such things as that in the hands of the whites. I called upon Mr. Sheppard, the supervisor, whom I saw out there, to use his influence and try to have the parties back their horses out so that the colored men could vote.

By Mr. CHRISTIANCY:

Q. He was the democratic supervisor?—A. Yes, sir; he made three or four opportunities to have them take their horses back and get them to back out of the way. They had the heads of them run together so that no parties could get in. There were several colored men got in by forcing their way through the best they could between the horses; some of them run under the horses, but whenever they could they kept them back.

By Mr. CAMERON:

Q. Were those mounted white men armed?—A. They had from one to four pistols buckled around them. Several men got in in that way, by forcing themselves through and being struck over the head. I then announced that unless there were some steps taken to get them in I would be certain to call upon the military and get a sufficient number of men to open the way.

I asked Mr. Sheppard, in the presence of the commissioner, as to whether he could or could not control those parties. He told me that many of the parties were drunk or under the influence of liquor, and that he could not control them. I then took the commissioner aside and sent word to General Brannan to send me a sufficient number of troops to open the way to the polls, so that all parties could vote without such trouble. I think that was about 8½ o'clock in the morning that I made that request. At about fifteen minutes to ten the troops arrived. I immediately waited upon Major Kellogg and stated the condition of things to him, and he sent a squad of men, under the command of Lieutenant Hoyt, to the poll. He had to make his entrance into the building through the window where the voters were passing out. As soon as he saw the true condition of things he prepared his men and placed them at the entrance and opened the way to the poll after some little difficulty. There were then ten colored men allowed to pass through at a time between the soldiers and vote. I found some little difficulty

in voters passing out. They tried to pass out at the window. I called upon Major Kellogg and he stationed a guard at the window, and after that parties passed in and out pretty regularly all day without much trouble, except some one or two persons were struck and hurt by those parties. They voted very slowly. Very many useless questions were asked, such as whether they had repeated that day, and whether they had not been convicted of crimes, &c. I think about ten o'clock I received a message from General Brannan, through the United States commissioner, saying that he would like me to remain at box No. 2 at Macedonia church, for the reason that the troops could not act without my presence. He said that he would give box No. 1 at the court-house his personal attention. I think at twelve o'clock I received a message from Senator Cain, saying that the court-house was blockaded, so that the colored people could not vote. I received that message from Mr. Cain in person.

I immediately wrote a note to General Brannan, asking him to please keep his word and see to it that the way to the court house was opened. Senator Cain carried that message himself. I also stated in the note that if he found that he could not open the way, I would myself come there and take such measures as would open the way. I heard no more of that until, I think, half past four o'clock in the afternoon, when I received another message from Cain that the way to the court-house was blockaded and no colored men were voting. I immediately left the church and proceeded to the court-house. Upon arriving there, I found the same crowd that I had seen in the morning. The bottom of the stone steps to the portico were crowded in the same way that I had seen in the morning.

Q. Crowded with whom?—A. The same white parties that I saw in the morning. It was crowded so that no one hardly could get up.

By Mr. CHRISTIANCY:

Q. Were there armed men on horseback there?—A. All the men, I suppose, were not on horseback; of course a great many were armed and a great many were on foot, at least in front of the court-house. Upon arriving there, I saw Generals Butler and Gary, and, I think, Mr. Warden, a man that lives on the Charlotte and Columbia Railroad, between this place and Pine House. I asked General Butler to be kind enough to have those parties removed from that place in front of the court-house, and be kind enough to take them into the square; and said, at the same time, "It seems to me that you can take those parties there and finish your speaking. It has been reported to me that these parties cannot vote." He said, "There is nothing in that at all. There is no person prohibited from voting." I immediately went to Senator Cain and got six colored men, and started back and came around the street, and when they saw me coming they commenced hollering, "There comes the United States marshal, let him through." I passed through with six men into the court-house.

I had some difficulty in passing up. There was just sufficient room for me to pass up, and they followed me right behind. There were some three men followed me up afterwards, and one came up into the court-house. There was no one voting in the court-house. I found Major Kline in there. Those six men voted after some trouble. It was then about time that the box should be closed. They wished me to stay at that box. I stated that I could not do so, for the reason that I had to return to Macedonia church, and then they agreed to have one commissioned officer remain there, and I waited on General Brannan and got

that officer and left him there, and then went back to the church. There was a detail left there with him. Lieutenant Williams and ten men remained there and guarded that box. I remained at the church until half past two o'clock in the morning and witnessed the count. There was nothing that occurred during the count of any vote. After the count the box was sealed. The managers and supervisor, together with myself, passed down to the court-house, and the box was locked up.

Q. Were you at Edgefield on the night of the 6th of November?—A. Yes, sir; in fact I was sent there by Marshal Wallace on the 11th of October, and remained there the greater portion of my time until the 1st of December.

Q. What was the condition of the town on the day and evening of the election as to quiet or disorder?—A. Well, sir, the town, as a general thing, was always in some kind of confusion. There was parties riding through, yelling and shouting, &c. That was nothing unusual.

Q. It was a common thing, was it?—A. A very common thing.

Q. How long did you remain at Edgefield after the election?—A. I remained there up to the 1st of December.

Q. State whether or not there were those disorders in town the day after the election and for two or three days thereafter.—A. Well, sir, there were a large crowd of armed parties, dressed in red shirts, mounted, who rode around the streets yelling and screaming, and as a general thing knocking in the windows of republicans. Senator Cain's house, I believe, was pretty badly battered.

Q. Were you in Edgefield on the day that the votes were canvassed?—A. Yes, sir.

Q. State whether or not there were large crowds in Edgefield that day.—A. There were several crowds there during the day the votes were canvassed. In fact Mr. Jones—I think he is clerk of the court there—called upon me for protection. He stated that he was afraid they would murder him. I referred him to Major Kline, and told him that I would do what I could in the matter. I believe afterward they got him and went to the court-house to help to canvass the votes.

Q. Were there or not bodies of white men in the town during the day on which the votes were canvassed?—A. O, yes, sir.

Q. How did they act?—A. Well, they acted badly.

Q. What did they do?—A. They were running around town shooting and abusing republicans, as a general thing, and threatening them in their houses.

By Mr. MERRIMON :

Q. The republicans didn't do anything but walk up like sheep and vote, did they?—A. The republicans up there, as a general thing, were very quiet; they had to be.

Q. Did they shout for Hayes and Wheeler and Chamberlain?—A. It was more than they dared to do.

Q. They did not shout at all?—A. Yes; I have heard them shout.

Q. Did you ever see a republican have a pistol over there?—A. Yes, sir.

Q. On the day of the election?—A. I saw none on the person of a republican on the day of the election. As a general thing they received orders to leave their arms at home and not bring them.

Q. From whom did they receive their orders?—A. I, in fact, told some men.

Q. Were you an officer of the law yourself?—A. Yes, sir; and I was

sent there for the purpose of preserving the peace, and in that way I thought I might be able to keep it. I told those that hadn't any arms not to raise any disturbance whatever, and for every person to go to the polls that wanted to.

Q. The republicans did not assert their right as free men to shout for their candidates at all?—A. They were afraid to do it.

Q. They didn't do any shouting and hallooing and firing about Senator Cain's house, did they?

The WITNESS. The colored men?

Mr. MERRIMON. Yes.

A. I don't think so.

Q. There was no drinking there at all?—A. That I cannot say. Parties there might have drank some; I am not conversant in regard to that.

Q. What is your business?

The WITNESS. My business?

Mr. MERRIMON. Yes.

A. I am in charge of the constabulary at the State-house

Q. How long have you been a republican?—A. I have been a republican all my life and expect to remain republican.

Q. Until you die, whether there is any republican party or not. How many offices have you held?

The WITNESS. In this State?

Mr. MERRIMON. Yes.

A. Well, sir, I have been deputy marshal; I am also marshal of the South Carolina University at present.

Q. Is that all you have held?—A. No, sir; I have held other offices.

Q. What offices? I just want to know.—A. I was United States mail-agent.

Q. Where?—A. On the Charlotte, Columbia and Augusta Railroad.

Q. What else?—A. I think that is all that I have held in this country.

Q. You take a good deal of interest in politics, do you?—A. Not a great deal, sir.

Q. Are you a native of this State?—A. No, sir.

Q. Where are you from?—A. From York County, Pennsylvania.

Q. When did you come here?—A. In 1863. I was ordered here directly from the Post-Office Department. I am well known in that Department, or was at that time.

Q. Why did they not keep you in that mail-service?—A. For the reason that some of these parties wanted to get on themselves. If you want to know my reputation you can get it from the postmaster in this building.

Q. How did you happen to be sent to Edgefield at the time of the election? What particular qualification did you have for that locality?—

A. I suppose they thought I was an honorable man and would do my duty.

Q. They kept you stationed there a month?—A. I was there over a month. I went there on the 11th of October and remained there until the 1st of December.

MAJOR JACOB KLINE.

COLUMBIA, S. C., *January 9, 1877.*

JACOB KLINE sworn and examined.

By Mr. CHRISTIANCY :

Question. How old are you ?—Answer. Thirty-seven years old.

Q. Do you hold an office in the United States Army ?—A. I am captain Eighteenth Infantry and major by brevet United States Army.

Q. How long have you held that office ?—A. I have been in the Army since September 9, 1861.

Q. Where were you stationed during the last fall ?—A. I was in command of the post of Edgefield from about the 1st of September to the 26th October, when I was relieved by General Brannan, but still remained at the post.

Q. And you are still in the service there ?—A. And still in the service.

Q. He then became commanding officer by seniority ?—A. Yes, sir.

Q. How long did you remain there ?—A. I have been there continuously up to the present time, with the exception of three days, I believe.

Q. When was that ?—A. From November 13th to November 17th.

Q. Is that the only time you have been absent ?—A. Yes, sir.

Q. You are still stationed there ?—A. I am still there in command of the post.

Q. That is Edgefield, in this State ?—A. Edgefield, Edgefield County, in this State.

Q. What date did you say you were relieved from command ?—A. The 26th October.

Q. Did you at any time previous to the election see anything of rifle-clubs in that region ?—A. Well, I think the first evening I got there, the 2d September, there was an organization drilling on the street. I could hear the commands, but I didn't see the parties. The next time that I saw any armed bodies in the way of an organization was one night in September, about the 10th, I suppose; I don't remember the exact date. I was going from my camp, at eleven o'clock at night, to the hotel. Right outside of the inclosure of my camp, on a little bridge, I saw two men armed with rifles, having bayonets fixed. I looked at them. I don't know who they were. They were very polite, and spoke to me.

By Mr. CAMERON :

Q. White men ?—A. Yes, sir; they said, "Good evening, major," or something of that sort. I walked off up into the square. I found probably twenty-five or thirty men on my way to the square. Wherever I passed a cross street I found a sentinel patrolling across the road. I went into the square, and I saw these twenty-five or thirty men. I stopped and spoke to some citizens, and asked them what was the trouble, what was the cause of this excitement? Major Gary, I believe, was the party I spoke to particularly. He said that there had been some assault made on a colored democrat, and these armed parties were acting as a *posse comitatus* of some sheriff or deputy sheriff to make the arrest of four negroes who were supposed to be the guilty parties that fired the shot. I laughed, and had some talk with Major Yates, and told him that it was all nonsense, that he wouldn't have me to think that it was absolutely necessary to have such a crowd of men turn out to arrest four negroes. He said it was.

The next time was at a democratic meeting, and I saw the rifle-clubs, or, at least, clubs mounted, who moved by command, and had their chief officer in command.

By Mr. CHRISTIANCY :

Q. He gave orders like military orders?—A. Yes, sir; and have paraded in regular military organization by clubs, and were armed with pistols.

Q. Were they on horseback?—A. On horseback; yes, sir.

Q. About how many did you see that time?—A. I did not count them myself. One of my officers counted them, and he counted seven hundred in the procession. The next time was at a meeting on the 14th October. When the republicans held their meetings there, the rifle-clubs paraded. At that time there were six hundred and seventy five mounted men in the procession. The next time after that was the 18th October, I believe, at the democratic meeting. On these occasions the rifle-clubs were mounted and armed, and moved by command.

Q. What do you know of their being out of nights except on that first occasion?—A. The only time that I ever saw the rifle-club out at night as an organization was on the night of the 18th October, at the time a white democrat by the name of Gilmer had been shot.

Q. That is, reported to have been shot?—A. He was shot. I saw the man myself; I went out and saw him. Of course, I do not know anything about who shot him except by hearsay. I went out to that locality and found the rifle-clubs there. I had no means of telling how many there were, except what one of the captains of the rifle-club told me himself, that there were twenty-five of them, which was a mistake.

By Mr. MERRIMON :

Q. What was the occasion when the man was shot?—A. When he was shot, there was a rifle-club returning from a democratic meeting.

Q. What did you see of it?—A. In the evening, as I was going to supper, two colored men came to me and reported to me that there was a riot about two miles and a half in Edgefield, in a place called the Promised Land. I went down to the barracks and ordered the troops under arms and took my adjutant and went out of town myself to satisfy myself that there was actually a riot. I got out on the road, and on my way down there I found one man coming back who had been shot in the arm.

By Mr. CHRISTIANCY :

Q. Was he a white or a colored man?—A. He was a white man. As I went out there, I came to a house on a hill, and I found a good deal of firing into this house. I got off of my horse and went into the lot. One of the leaders, or one who claimed to be a leader of one of the rifle-clubs—I do not know whether he was or not—came down, and I asked him who was firing. He said he was. I asked him what he was shooting. He said he was trying to get the colored people in that house out of there, and that there had been a man killed. I told him that I was out there to investigate this matter, and that I would look into it. Said I, "Where is the man killed?" He said, "Down here on the road in the bottom." We went down together, and there they were surrounded by these rifle-clubs, some of whom were dismounted, and there was great excitement. Some of them were under the influence of liquor, and very free in their threats. They had also in their possession one colored man, who they claimed to have known something about the killing. I found Gilmer lying on the ground with a bullet-hole of some

sort, made by what I took to be a caliber fifty musket; I do not know certainly, but that is what I judged from the wound—between the two eyes at the base of the forehead.

By Mr. MERRIMON:

Q. Was he dead?—A. Yes, sir; the ball ranged, I think, from the position that I saw upward. Instead of ranging from a point-blank shot, it ranged upward. That would be my idea of the shot.

These parties that were there told me that the man had been shot by a colored man. I advised these men that it was murder on the highway, and that the proper way to seek redress would be to call upon a trial-justice to hold an inquest, and, upon the testimony of witnesses, find out who the guilty parties were, and arrest them. General Gary came out there and he suggested the same thing. They followed my advice the next morning, and the same night that they brought in the body they held the inquest and issued warrants. These warrants were served by persons whom I had seen the day before belonging to the rifle-clubs, and from complaints that came to me I was satisfied that they made it a pretext for arresting the colored people; that it was entirely unnecessary, and investigation after that showed it to be so, because they arrested eight, and upon investigation only one was found guilty. That is about the substance of my connection with that case.

By Mr. CHRISTIANCY:

Q. When you saw these rifle-clubs out on any occasion, did you hear any complaints of the negroes as swearing against them, or anything that indicated hostility to the negro race prior to the killing you speak of? Did you hear any of their hurrahs?—A. There was yelling and cheering, drunkenness and disturbance, but I was not in a position that I could hear those things as a general thing. Do not understand me to say that I heard no complaints, because colored men would come to me with complaints, and when they came to me it was not exactly complaints against this organization as an organization, but as individual members of the organization. That is the idea that I got, that they were individual complaints that were made to me.

Q. Were you there the night before the election?—A. I was.

Q. Will you state whether there was any demonstration of the rifle-clubs on the night before the election at Edgefield? and if so, describe it.—A. All I know is that the parties took possession of the courthouse the night before the election.

Q. How many did you see out, and what were they doing through the streets?

The WITNESS. Do you mean on the night before the election?

Mr. CHRISTIANCY. Yes.

The WITNESS. I cannot answer that question.

Q. Were you out during the evening?—A. Only in passing from my hotel to the barracks. I noticed them riding up and down furiously, and as I was walking they would ride a square before I could walk it, and then would come back and repass me.

Q. Describe what you saw and heard.—A. I saw them riding and heard them yelling.

Q. Were there a great many of them on the streets that night?—A. Yes, sir. At times there would probably be squads of three or four, and then others of fifteen or twenty.

Q. Did you hear firing of guns and pistols during the night?—A. Yes, sir; pistols during the night before the election.

Q. Now describe what took place the day of the election, commencing

in the morning.—A. I was directed by the commanding officer, General Brannan, about 6.30 a. m., to proceed to poll-box No. 2, at Macedonia Church, Edgefield Court-House. I went there and found probably forty or fifty mounted men.

Q. Were they armed?—A. Yes, sir.

Q. What time in the morning was that?—A. About 6.30 I think it was when I left the hotel. It took me probably twenty minutes to walk out there. My official report would show that.

Q. Describe the course of things there.—A. I found these men had formed a circle, the right of the circle resting at the door opening into the school-house or church where the poll-box was kept, and the left of the circle resting at the opening where the voters came out after having voted.

Q. Was it a window?—A. A sort of a window, yes, sir. As I approached this circle, one of the horsemen called out to another horseman to back out there and let Major Kline pass in through the opening. I went up the steps, rapped against the door. A door-keeper was there, and I asked for admission; and he opened the door and I went in. At that time there was a colored man voting. Apparently, from what I heard and saw, the colored man's vote had been challenged, or something of the kind. Mr. Sheppard, who was challenger at the election, was interrogating him upon certain points. They stopped when I came in, and I addressed the three managers and said, "Complaint has been made to the commanding officer that the men are not allowed to vote freely at the polls." Mr. Market, the white manager—there were two colored republicans and one white democrat—spoke up and said, "By a vote of the managers only ten men are to be admitted to the polling-place at one time to vote." That is, the space in front of the polling-place was so small as not to admit of more than ten men at a time. I staid there until these colored men voted, and turned around and proceeded to the barracks, and reported to the commanding officer about this circle of horsemen. I was not called upon by the commanding officer again until three or half past three o'clock that afternoon, when I was directed to proceed to poll-box No. 1, which was at the court-house. The poll-box was in the court-room, access to which was gained by fifteen or twenty steps. I found eight or ten horsemen, with their horses' tails backed up against it, facing outward, and the steps were filled with men.

Q. White men?—A. Yes, sir; I found no difficulty in getting in. They gave way for me. I stood there, and seeing that there was no disturbance there, went back to the commanding officer and reported about these horsemen and men on the steps, but that while I had been there there had been two or three colored votes polled. He then directed me to go back and remain there until the polls closed. I went back there and did wait until the polls closed. While I was there a deputy marshal, Mr. Beattie, brought in some six men, I believe, and voted them. I was there from about half past three until six in the evening, when the polls closed. There were fifty votes polled in that time. Of those fifty votes, I think my official report states that between thirty and thirty-five were colored.

Q. During that time how was the crowd out in front?—A. I was in the court-house, and I could only hear the cheering and yelling.

Q. You do not know what was the conduct of the men outside?—A. No, sir; I was in the polling-place.

Q. Will you state whether you saw any difficulties there that evening in town, and whether you were called upon for any aid?—A. About

eight o'clock that night Mrs. Latrobe, Mr. Lawrence Cain's wife's mother, came to the hotel very much excited, and said that their house had been rocked—stones thrown in, and windows smashed—and the commanding officer directed me to go down and investigate the matter, and report. I went down there and found that some of the parlor windows had been smashed in—three, or four, or five—and I also saw rocks which had been thrown in. I went back and reported the circumstances of the case to him. While I was there two young men came up and said that it should not occur again; that they had got these drunken parties away.

Q. Were the young men that came up white men?—A. Yes, sir; but they were not the ones who had done the rocking. About one o'clock that night the sergeant of the guard came up and told me that the commanding officer had directed me to go down and see what was the occasion of the firing into Cain's house. I went down there, and at the barracks I found Cain's wife's mother and sister, very much excited, and two colored men, whose names I do not remember.

Q. You found them at the barracks?—A. Down at my own barracks, yes, sir; and they all insisted that their house had been fired into. Of course, I have no evidence to the contrary, but I have from reports that came to me the next day—

Q. Did you go down there to see?—A. I passed the house on my way to the barracks.

Q. Did you go down there to see whether it had been fired into or not?—A. I went and inquired for the bullet-holes, but could not find them.

Q. You went and looked yourself, did you?—A. The next day or two. I even asked the parties to point out the bullet-holes to me. That is all I know about that circumstance.

I wish to say that the two darkies were afraid to go back to sleep there at Cain's house or in the yard where they usually slept, and I let them sleep in the barracks under guard.

Q. State whether on election-day you saw these white men in red shirts armed and riding up and down the streets.—A. I did, sir.

Q. Were those crowds of white men around the polling-places No. 1 and No. 2 uniformed in red shirts?—A. As a rule. There were some, of course, that were not.

Q. Were they armed with pistols?—A. They were armed with pistols; some had one and some had two. I saw one or two men who had three pistols slung around them, and also some men had rifles.

By Mr. MERRIMON:

Q. Do you know whether there had been a drunken crowd of negroes around Cain's house the evening of the election?—A. No, sir; I do not know anything about it.

Q. Was it reported to you at that time that there was such a crowd?—A. Such a report would not have come to me at all; it would have come to General Brannan.

Q. Do you know whether there was any such crowd there the evening before the election?—A. No, sir; I think not. I know nothing about it; but if there was any drunkenness there, it was not a sufficient degree of drunkenness to attract my attention when I would pass that house in going to and from my hotel.

Q. Were there negroes there the night before the election?—A. Yes, sir; they were coming in.

Q. Were they yelling and hurraing for their candidate?—A. No, sir;

I think not as a rule. There may have been individual cases, but as a rule they were more quiet.

Q. When you speak of these rifle-clubs, do you want the committee to understand that you know anything about their organization and purpose?—A. I know nothing about their purpose, except judging from their actions and movements by command. I know nothing beyond that.

Q. They were not armed with rifles?—A. There was an organization in town armed with Remington rifles.

By Mr. CHRISTIANCY:

Q. That was an organization of white men?—A. An organization of white men; yes, sir; and prior to the order from Governor Chamberlain dissolving them they drilled pretty regularly.

By Mr. MERRIMON:

Q. After that did they dissolve?—A. That organization dissolved, so far as I know.

By Mr. CHRISTIANCY:

Q. What do you mean by dissolved? Do you know whether they did or not?—A. They never met in public as they did before. I do not know whether they abandoned their organization or not. Of course I do not know anything about that.

By Mr. MERRIMON:

Q. You call those bodies of men that you have described rifle-clubs, because that was the name that the republicans applied to them?—A. All of them; everybody without distinction of party, republicans and democrats, called them rifle-clubs; they were known as rifle-clubs.

Q. Were they anything more than political clubs marching about?—A. I know nothing about that. I never turned out on occasions of democratic meetings.

Q. What sort of words of command did they give?—A. Twos right, forward, and halt—the rifle club that I heard drilling in the hall.

Q. That was the regular rifle-club at the town?—A. It was; and as nearly as I can recollect they were drilling according to Upton's tactics.

JACK PICKSLEY.—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

JACK PICKSLEY (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Edgefield.

Q. How long have you lived there?—A. All my life.

Q. How old are you?—A. I will be sixty-two years old the 7th of August.

Q. State whether or not you were assaulted by any democrats at any public meeting during the late canvass, and, if so, state the facts in regard to it.—A. I disremember the date, but I think about the 14th October, when there was a mass-meeting held at Edgefield Court-House Saturday, late in the evening, about a quarter after sunset, I was going on home quietly, me and another young man, when a company of the red-shirts overtook us and rode on, and when they rode by me they

stopped me and jammed me up in the corner of the fence, and I surrendered to them very kindly, and begged them to let me go on; that I was unwell and wished to get home. He asked me if I had a pistol; I told him no, I hadn't had any for forty years, since I had carried a pistol for my master; and he called me a damned liar, and drew a pistol on me, and searched me, and I happened to have three knives that I carry about this time of the year to butcher with. I had been around Edgefield helping to kill cattle or sheep or anything that comes to hand. He took my knives away from me, and my walking-stick, and struck me a lick across the arm; and then ten or twelve men came up and surrounded me, and drew pistols on me, and would make me say I would vote for Tilden and Hendricks.

By Mr. MERRIMON:

Q. Who was the first man that assaulted you?—A. That is Franklin Sharpton; he lives away out in the dark corner.

Mr. CAMERON. Go on.

WITNESS. I told him that I didn't know whether I would vote for any person. Said he, "Why?" Said I, "If I cannot vote peaceably and quietly as I always have done, I don't suppose I shall vote at all. At any rate, I am expecting to be murdered the way they are going on now, and I don't expect to live to see my wife and children any more." He cursed and went on a good deal, and finally made me get up behind one of them on his horse and rode me, as well as I understand, between half and three-quarters of a mile. I was right behind the one-mile post, and I rode considerably farther than half-way to the other one, and they put me down, and, as the Lord would bless me, it was right at my own gate after dark, and I went on home.

Q. Where were you on the day of the election?—A. At ballot-boxes No. 1 and No. 2.

Q. Did you vote?—A. No, sir.

Q. Why not?—A. Well, sir, I was trying to vote from six o'clock in the morning until six at night, and I couldn't get to the polls for no consideration, there was such a crowd of horsemen, and the polls were packed from daylight; in fact, all night Monday night until Tuesday evening. I tried all day to vote, but I couldn't get to vote, and they drew pistols and guns of all kinds on us that day. I backed up in the crowd several times to try to work in, and finally I had to just go home without it.

Q. Who surrounded the polls in that way?—A. The democratic party.

Q. You were a republican?—A. Yes, sir; and always have been.

Q. What time of the day did you first go to poll No. 1?—A. About six o'clock in the morning, and staid there until after ten, and none of the colored men had voted. Then we were ordered by the marshal to go to No. 2. I went up there and staid until about half an hour by sun in the evening, and then went to No. 1 again, thinking I would get a chance to vote.

Q. How many went with you to No. 1?—A. Some two or three hundred, and we sent twelve men to try to get in when there was no voting going on and everybody was then standing around on the steps; but they wouldn't let no one come in.

Q. How many republican voters were prevented from voting in the same way you were at Edgefield that day?

Mr. MERRIMON. State what you know of your own knowledge; do not go to guessing about it.

A. I have some idea of it ; I think there was not less than five or six hundred. There was a massed crowd there.

By Mr. CAMERON :

Q. It has been stated here that those five or six hundred might have gone to poll No. 2, and might have voted ; what is the fact ?—A. There was no chance. When we went to No. 2 there was a crowd of horses and horsemen galloping along ahead of us, and striking some of us with sticks. There is men here that have got blood knocked out of their heads. They had to go through all that to get to the polls, and when we would go there they would back up in such a way on their horses that they wouldn't give us any showing at all, and then when a few did get in to the box they would try to test their vote and hinder us all the time they could, and tried in every way to prevent us, and we bore it all and had no fuss nor nothing, and didn't wish to have none. We thought we were voting as quietly as we always did, and didn't try to have no fuss in any way.

Q. Explain what prevented you from voting at poll No. 1 ?—A. The talk of the democratic party, cursing and drawing pistols, and would not suffer us to go up. The box was under the arch of the court-house ; that is where it was ordered to be first.

By Mr. MERRIMON :

Q. How do you know that ?—A. Because I heard it the day before, and I thought it was a good idea, as the voters passed on through them to come out at the lower end of the gate, and not by pushing one another. Before they commenced voting the box was taken by one of the democratic managers and carried up-stairs, and the whole place back of the court-house was full of white men, and on the steps all the way down further than that door yonder, and when the colored men met there in the morning there was no chance to vote, and we then just staid there in line until ten o'clock.

By Mr. CAMERON :

Q. Until the marshal told you to go to No. 2 ?—A. Yes, sir.

Q. As you started did you hear a large number of horsemen galloping on before you ?—A. Yes, sir ; and not only that, they camped there the night before, lots of them—the whole lot—and the school-house was full of them. They showed us no quarters whatever. I have a statement in my pocket that can state the facts plainer than I can how the condition of affairs was there.

Q. No ; you can state the condition of affairs yourself.—A. Yes, sir.

Q. If there is anything else you want to say in connection with the canvass before the election, or what happened on the day of the election, you may state it.—A. Well, sir, I don't wish to hunt up anything more. I couldn't tell you how bad it is, to tell you the truth. There is other witnesses that seen some things I didn't see. I just want to state my own case.

Q. Where were you the night after the election ?—A. I got home, and went a roundabout way through the fields and woods to get home, for fear of my life.

By Mr. MERRIMON :

Q. How do you know about the fixing of the ballot-box in the first story of the court-house the day before the election ?—A. Because I was acquainted with the managers, and I heard them say how the arrange-

ment would be for convenience, and in the morning when it was put down there it was taken by a white democratic manager.

Q. You saw that?—A. No, sir; it was done just before I got there.

Q. You were told that the white manager did that?—A. Yes, sir.

Q. Whether he did it or not, you do not know of your own knowledge?—A. I know it was done, because when I came there we expected to go to vote under the court-house, and everything was all ripped up; the arrangement was for it to be under the court-house.

Q. You brought a statement in your pocket, you say?—A. Not to that effect.

Q. Well, to some other effect?—A. Yes, sir; how the red-shirts rode around in Edgefield from Monday until Wednesday.

Q. When did you get up that statement?—A. It was published in the Edgefield Advertiser that I take every week for the last two years.

Q. You are sure you did not vote?—A. No, sir; I didn't at all.

Q. Why did you not go up and vote at box No. 1 in the evening?—A. I couldn't get there.

Q. The officers say you could get there?—A. No, sir; I went expecting to vote.

Q. Were not the military officers there?—A. Yes, plenty of them.

Q. Did they not tell you to go there and vote?—A. Yes, sir; but we couldn't get to vote, unless we had voted the democratic ticket.

Q. Were not the military officers there?—A. Yes, sir.

Q. Did anybody vote there except those who voted the democratic ticket?—A. Mighty few.

Q. How many?—A. I couldn't tell.

Q. Why do you say mighty few, then?—A. I know there was mighty few.

Q. How do you know?—A. Because they told me so.

Q. Who told you so?—A. The colored people that didn't vote. My son-in-law and twelve more went to try to vote.

Q. Do you know how many voted at No. 2?—A. No, sir; I don't know anything about it. I don't wish to talk anything that I don't know anything about.

Q. In what part of the county was it that you were assaulted, as you described a while ago?—A. Just exactly two miles from Edgefield.

Q. Who was it that assaulted you?—A. Mr. Franklin Sharpton was the man that stopped me with a crowd, and I don't know the men.

Q. You do not know who they were?—A. No, sir.

Q. What was the ground of complaint against you?—A. Nothing at all, more than I was a republican.

Q. Just because you were a republican?—A. Yes, sir; that is all.

Q. Did they serve all the other republicans in the same way?—A. They done a great many that way.

Q. How did they happen to get after you?—A. It just happened that I was going on and had me a stick to lean upon. I hadn't drunk a drop of water or whisky that day, and I had a pain in my hip, which has followed me for years, and in one of my knees, where I got a lick with an ax a long time ago; and I was walking with my stick, and hadn't said a cross word to nobody for years; and I never was known to interfere with white people or black ones either; and I am living now a mile of where I was born.

Q. Where do you live?—A. At the Promised Land.

Q. Is that close to where the white man was killed?—A. Yes, sir.

Q. Do you know who killed him?—A. No, sir; I don't know a thing

about it. I was in my yard feeding my hogs when it was done. I heard the shooting, but I don't know nothing more about it than one of you.

Q. You had nothing to do with it?—A. No, sir; nothing at all.

Q. It was close by your place, was it?—A. About four or five hundred yards. There is a lane running from the road right up to my house, and there is a gate down at the road and another gate right at my house.

Q. What sort of a paper was that statement you have in your pocket published in—a radical paper or democratic?—A. A radical paper.

BURTON STROUD—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

BURTON STROUD (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live?—Answer. At Edgefield.

Q. How long have you lived there?—A. Three years.

Q. Are you a republican?—A. Yes, sir.

Q. How old are you?—A. Thirty-two.

Q. Where were you during the political canvass immediately previous to the last election? Were you in Edgefield?—A. Yes, sir.

Q. Did the democrats threaten you before the election?—A. Yes, sir.

Q. You may tell what they said and did to you.—A. Along in the year, in the time of farming, Mr. Hezekiah Woods had been making a great deal of threats what the club was going to do.

Q. Tell us what he said.—A. I will tell you what he said. He said, "Before this time another year"—

By Mr. MERRIMON :

Q. What time was that?—A. Some time in cotton-hoeing time.

By Mr. CAMERON :

Q. Was it before the election?—A. Yes, sir; it was before the election. He said that "by this time another year there would not be a God damned radical found, and that we are determined to make away with every God damned one." On the 12th of October, as I went up—I live a mile from him, and was working a crop on shares on a place that I had rented from Scott Allen, and I was working for one-half, and he was working another place a mile from me, against Antioch church, and he got me and my hands to come up and help him pick cotton. A little boy in the field by the name of Starling, about twelve years old, was not picking so very fast, and Hezekiah Wood's son said, "Sonny, it seems like you are full of radicalism this morning, not wanting to pick cotton very fast." Starling, he says, "O, yes, Massa Lewis, I am determined to pick cotton, and I believe you too would vote radical, if you were old enough." I was picking cotton right there, and he challenged us right there and said, "I believe Burton will vote the republican ticket;" and he said, "Are you going to hear Chamberlain speak on Saturday?" Said I, "I would like to hear both sides of the question." Hezekiah Woods, the father, then steps up and says, "I have a speech back at home to make in my cotton-field Saturday, and I would advise you, Stroud, to stay away from there, because if you go down to hear Governor Chamberlain make a speech, and coming back some rowdy fellow will

say 'boom,' [imitating the sound of a gun,] and then again you will be dead. So my advisement will be for you to stay away." That was Thursday. Thursday night it rained all night and made the cotton too wet to pick, and I went to making boards for Mr. Sherihall, a white gentleman, who I owed some fifty cents, and he asked me to make it up in making boards to cover his cotton-house. I told him yes, I would pay it in that way, for I had no money to settle it. About one o'clock in the day Hezekiah Woods came riding up.

Q. Is he a white man?—A. Yes, sir.

Q. Is he a democrat?—A. Yes, sir; he came riding up and he says, "God damn you, why ain't you up yonder picking cotton?" Said I, "I would have went up if the cotton had been dry enough." He said, "Just for obligation I helped you to pick cotton, and now I have got my own cotton to pick and you ain't there." I said, "If it hadn't been too wet I would have went up there." Then he said, "God damn you, let me show you how I take a radical," and he struck me, and upon that I struck him back and he grabbed an ax and I throwed it out of his hand, throwed him down, and then I broke and run, and he followed me about two hundred yards with his knife open, and said, "God damn you, I am going to have you killed." That was on Friday evening, and I went on home. On Saturday they came back from the republican speech. I staid away from home all night Friday night for fear that he would have me injured, and after they all went off to the speech—I didn't go to the speech, being in trouble, but I came home, and just about a half an hour or quarter of an hour by sun, as they came back from the speech on Saturday night—

By Mr. CHRISTIANCY :

Q. As who came back?—A. As the democratic party passed by, Mr. Wood and his crowd passed by. I was lying in my room and my wife says to me, "Stroud, you are dead." I says, "What?" She says, "Look yonder, at your bars;" and I peeped out through the cracks, and Lewis Woods and Jim Woods was coming across the bars toward my house.

Q. Were they armed?—A. Well, sir, they had their pistols in their hands, and had them all drawn. As I jumped they said, "O, Burton, look out, God damn you, we are coming for you. We have been talking about you all year and telling you to come over on the Lord's side, and you wouldn't come; and now you shan't be a radical, and you shan't be a democrat, for, God damn you, we mean to kill you and cut your head off and put it up on a stick and make a mark to shoot at, and you will vote your next ticket in hell, God damn you." And about this time they were shooting about seventy-five yards from my house. I run, and there was a ditch by the side of which there was some weeds, and I went down the hill like. They had to come past the house before they could see whether I went on or turned off, and I jumped right off to one side and went into that ditch, and they went on past me and missed me, and came back and asked my wife, "Where is he? God damn him, we have come for him. We have been begging him to join the club, and now he shan't be a radical, neither shall he be a democrat, for he shall go to hell to-day. He has been preaching and running all around preaching politics, and, God damn him, we have come for him. We have nothing against him except that he is a bad, God damned radical, and we have come to visit him." In this time there was a body of whites about 200 yards from me, and I crawled about 100 yards and jumped up on a hill there and got into the woods, and they missed me.

My wife afterward came to me, after I got out in the body of woods, and I went over to a neighbor's of mine by the name of William Collins, a colored gentleman, and my wife brought my boots and hat to me; and I asked her where was the men, and she said around there yet; and I says, "You come away from there, and come with me." Then I made for the village, and it was four weeks before I went back there any more. I had sixty bushels of corn——

Q. What village was that?—A. Edgefield.

Q. How far away from the village did you live?—A. Between eight and nine miles. It was between three and four weeks before I got back to my house, and I found everything was destroyed.

By Mr. CAMERON :

Q. What became of your crop?—A. Everything was destroyed; I never got a thing. The corn was already gathered; about sixty bushels; and I had about one hundred and fifty bushels of potatoes, and they was destroyed, and my clothes and everything was destroyed.

Q. Where were you on the day of the election?—A. At Edgefield.

Q. Did you vote?—A. Yes, sir; I undertook to vote, but I didn't get to vote.

Q. Where did you try to vote?—A. At the school-house.

Q. Why were you prevented from voting?—A. It was so crowded I didn't get a chance to get to the box.

Q. Did the white men flourish pistols?—A. Yes, sir; they had some kind of a fuss there that day, and struck the men over their heads with pistols.

Q. How long did you stay at the school-house?—A. I staid there until after dark.

Q. What time did you come there in the morning?—A. At 6 o'clock in the morning.

Q. And staid there all day?—A. Yes, sir.

Q. Did you try pretty hard to vote?—A. O, yes, sir; I tried first at the court-house and then went from there to the school-house.

Q. Why could you not vote at the court-house?—A. Well, it was crowded with the democrats, and they didn't admit us to come up there.

By Mr. MERRIMON :

Q. Now, Burton, are you sure you didn't vote?—A. No, sir, I didn't get to vote.

Q. Don't you think your name is down on the book as having voted?—A. It could not be there.

Q. You said at first that you did vote?—A. But I was mistaken, you know. I went there to vote.

Q. That is what you meant?—A. Yes, sir, that is what I meant. I went there to vote.

Q. You are sure you didn't vote?—A. I am sure I didn't vote. That was my full desire.

Q. What did you and that white man have that fight about that you told us about a while ago?

The WITNESS. Hezekiah Woods?

Mr. MERRIMON. Yes.

A. Well, he started with me about—his excusement was about me not coming up to pick cotton.

Q. You turned that quarrel into a political matter?—A. It proved to be that.

Q. You attribute it to his political feelings?—A. Yes, sir.

Q. And you came down here to tell the committee about it?—A. Yes,

sir; you see this is what he said when he turned from me, "I am going to have you killed." After he said "I will have you killed," on Friday night I went away and left him, and staid away from there, thinking that he would bring a company of men there and destroy me. I staid away next day. A republican speech was to be at Edgefield, and I staid away until all the men passed that I had an idea would come to destroy me, and then me and my wife came home, and between half an hour and a quarter by sun him and a red-shirt company comes back and comes by my house. They were coming in at the bars before I knowed it, and my wife seed them and said, "Stroud, you are dead."

Mr. CHRISTIANCY. You need not go through all that again.

The WITNESS. This was what they said. They proved it themselves. Listen what they said: "Burton, we have come for you; we have been begging for you all year to come over on the Lord's side, and we offered you a mule if you would join us, and you would have protection; but God damn you, you have no protection now. We mean to shoot you, and put your head on a stick and make a mark of it, and next time you vote you will vote in hell."

By Mr. MERRIMON:

Q. You have got your story all fixed up, have you?—A. I know it is true, and I can prove it. I have got good witnesses.

Q. Do you think that the white man will give the same account of it that you do?—A. I don't care what he gives. I know who will give it in right. My wife was there, and then there was a lady that I had hired.

Q. You have two witnesses?—A. Yes, sir; they were both right there.

Q. Why did they not shoot you when you went back home?—A. I never went back there to stay any more.

Q. You didn't go back there to stay?—A. No, sir.

Q. How did you know that your corn was lost?—A. I went back there to get my things, and when I went back my corn and potatoes was gone; and I took a company of men with me—

Q. How many did you take back with you?—A. Two.

Q. Only two?—A. Only two.

Q. Did the crowd of fellows offer to shoot at you when you went back?—A. They were not there.

By Mr. CHRISTIANCY:

Q. That was after the election?—A. Yes, sir.

By Mr. MERRIMON:

Q. Where did you stay?—A. At Edgefield Village.

Q. Haven't those fellows killed you yet?—A. No, sir.

Q. But you think they tried to kill you?—A. They tried it between eight and nine miles from here.

Q. Have they not tried it since near the village?—A. No, sir.

Q. Don't they eat colored folks down there?—A. I cannot answer that question. [Laughing.]

Q. Did they kill any other colored folks round about where you lived up there?—A. I heard of some being killed.

Q. How many did you hear of being killed?—A. Some two or three in the last year.

Q. Right there in your neighborhood?—A. Not right close. There was one man right near where I staid.

Q. He was killed on account of politics, was he not?—A. I don't know, I am just telling you what you asked.

Q. You are sure you didn't vote?—A. I am certain of that, sir; I went to vote; that was my full determination.

DICK LUNDY.—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

DICK LUNDY (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live ?—Answer. In Edgefield Court-House.

Q. How long have you lived there ?—A. I have been there ever since I have been born ; not right in the city, but about two miles this side of the town.

Q. How old are you ?—A. I am twenty-seven years old this last Christmas gone.

Q. Are you a republican ?—A. Yes, sir.

Q. Have you ever been attacked by a company of white men ?—A. O, yes, sir.

Q. You may tell us about that.—A. On the morning of the election, sir, we went around to Colonel Cain's and he gave us a ticket, and we went back up in the court-house to them steps, and we were attacked by the white people, and told that we should not vote there. Some of them had double-barreled guns and some had sixteen-shooters, and we didn't know what to do then. We all went on back and stood about there in the streets a while, and about 10 o'clock in the day we went up to the school-house, about half a mile from the court-house, and we could not get a chance to vote there until nearly night. Some of them voted, but the most majority of them didn't vote at all, and Mr. Swearingen was among them with sticks and things beating them over the head, and they had to run off, and could not vote.

Q. Did you vote yourself ?—A. O, yes ; I got a chance to vote just about night, but they knocked my uncle and brother both over the head with a stick. Mr. Swearingen had a stick about the size of my arm and nearly about 2½ feet long. They have got the marks on their heads right now where they were knocked with the stick.

Q. Did a company of white men come to your house at any time ?—A. Yes, sir ; that was before the election.

Q. You may tell us about that.—A. They came down there, and it was about two o'clock in the night when they came, and they made a mighty noise around the house, and I didn't know what to make of that noise at that time of night ; it frightened us pretty hard.

Q. Who were in the house with you ?—A. My mother and two sisters and two brothers was in the house with me. They called me by name and I would not answer. I was excited by there being so many people around the house—by their voices ; but I could not tell no particular man's voice, not right for certain, and it excited me so I didn't say much ; and my mother also got up and came and whispered to me don't I answer, and I didn't answer. Finally she said she would open the door, and when she opened the door Mr. Cheatham walked in.

Q. What did he say ?—A. He said, "If you don't open the door we will break it down ; God damn it, I know he is in here." Then I thought they were coming in there sure enough to mob me in there, and I thought they were coming in to kill me, and I never did make no answer at all ; and after they come in, Mr. Cheatham pulled out a paper and sat down before the fire and said he had a warrant for me. I said, "For what, Mr. Cheatham ?" He said something about its being that a plan was made up to kill General Butler, or somebody. I told him I didn't know anything about it, and I had never heard anything about it before.

Mr. Sheppard then spoke and said, "You have got to tell us something about it."

Q. What is that Mr. Sheppard's first name?—A. They call him Cush. Sheppard. It was not John Sheppard. He was John Sheppard's brother. He said, "I know you are among these niggers, and I know you are obliged to know it, and you have got to tell us all about it." I stopped then; I didn't know what to say, and I just put my hand on the chair and hung my head down so, [indicating,] and I said, "I don't know what to tell you; I don't know anything about it at all." He said, "You have got to tell us, or we will hang you to the first limb we come to." Then I thought sure enough that they would hang me or somebody would kill me, one; but I thought I had better tell them something and try to get away from them the best I could. I never heard Elisha Harris, or Jesse Jones, or any one else, make any threats toward any one. Then I told them some words on account of I thought that was my best chance to save my life that night.

Q. Told them what words?—A. I said, "Here is Jesse Jones and Elisha Harris said they would give \$200 to any parties that would kill General Butler." I told them I never heard anything, and then they said, "You have got to tell us, and if you don't we will hang you to the first limb we come to." Then I said I heard Elisha Harris say that he would not begrudge a hundred dollars if he would get into a row with some of his own color; and that Jesse Jones said that General Butler, God damn him, ought to be killed. I told them that because I thought that was my best chance to get away from them.

Q. Was it true?—A. No, sir; it was not true, because I never heard them say such a word. I never heard them breathe such a thing in my life.

Q. When was this? Do you remember the day of the month?—A. No, sir; I don't remember the day of the month, but you can get at the day of the month in this way: Mr. Butler said after that that he would go to Aiken next morning.

Q. State what further took place at your house that night.—A. Mr. Sheppard said to me, "Put on them clothes, you have got to go to jail." Then my mother commenced crying. He said, "Get up and kiss your mother, because it is the last time you will ever see her." I then commenced crying, too. And he said, "O, damn you, you needn't cry; you have got to go." I went up with them and went about a mile and a half from the house, where they had their horses hitched. I got up, and Mr. Felix Lake told me to get upon the fence and get on his horse behind him, and I done so; and he struck a lope and went to General Butler's house and knocked at the door, and General Butler got up when he called him and opened the door in his night clothes, and said he, "Hallo, boys, is you come?" We said, "Yes, we have come;" and Mr. Sheppard said, "General, don't this go to show what we think of you?" I don't know whether he made any answer or not; but, anyhow, he says, "Come in." They went in, and he said, "Boys, I ain't got anything to drink to-night;" and Mr. Cheatham was in there, and General Butler said, "Let the boys have what they want when they go down to the store. I have got to go to Aiken in the morning." Then Mr. Cheatham and General Butler went through a door, just like there was a room like this, and went through a door into another room, and Mr. Cheatham and General Butler were talking in there, I don't know what about; and both came out, and General Butler says to me, "Dick, now don't you tell anything that these parties say without they did say it."

Q. What parties did he refer to?—A. Jesse Jones and Elisha Harris

and them. I said, "General, I told you at first I didn't know anything about it," and, said I, "They insisted upon me to tell these things, and I had to tell them so." Mr. Sheppard then said, "There ain't no use of him telling lies about it. We have got it down in black and white that he did say so." Then General Butler said, "If you said it once, stick to it, and don't deny it." And Mr Sheppard says, "You have got to go to jail to-night." After the general said that, Mr. Sheppard said, "Boys, come on with me. I don't believe that Dick knows anything about it;" and they carried me on to jail anyhow; and they said I had to stay in jail until General Butler came back from Aiken. Sure enough, when he came back from Aiken, I disremember when it was, but I know it was on Saturday morning when he called on Mr. Ben Varr, the jailor, and told him to turn Dick Lundy out of jail, and I was turned out, and he said, "Come on, and I will have you bound over as a witness against these parties;" and that is the end of it.

Q. Have you ever been called upon to testify against those parties?—A. No, sir; I has never been called upon; they ain't said a word about it to me since.

Q. Who were at your house besides Mr. Cheatham and Mr. Sheppard?—A. Mr. Varr, George E. Sullivan, Charley Harrison, and Felix Lake. Them's all. When they come in the house they excited me so by having so many pistols drawn, that I didn't know what to say or what to do.

By Mr. MERRIMON:

Q. Did they have a warrant for you?—A. Mr. Cheatham said they had.

Q. You didn't see it?—A. He pulled out a paper and read it to me; I couldn't read.

Q. Do you know what they charged you with?—A. They said I knowed these parties that were making up to kill General Butler.

Q. Did they say you were a party to the transaction?—A. No, sir; but they said I knowed who was into it, and I had to tell it.

Q. You voted at the late election?—A. Oh, yes, I voted.

By Mr. CHRISTIANCY:

Q. Where did you vote?—A. At the school-house, at box No. 2.

TOM BROWN—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

TOM BROWN (colored) sworn and examined.

By Mr. CHRISTIANCY:

Question. Where do you live?—Answer. In Edgefield.

Q. It was when they had an election there last fall, on the 7th of November.—A. Yes, sir.

Q. Did you go to the polls there, or either poll, and try to vote?—A. Yes, sir; I went to try to vote, but I never did vote.

Q. State what was the reason and what happened when you tried to vote?—A. Well, if you want the truth I tries to tell the truth. When we come up to go to the polls the horses were standing on each side of the school-house at the door, and when we come down the road they hollers and spurs up their horses and runs across the road, and there

was a lane between us and the school-house, and the horses was on one side of the school-house, and they had to go down the lane to get to the school-house; and the other men was with their horses, and ran across the road to get on each side so we could not pass to go to the ballot-box; and they hollered, "Close up and charge." And when they hollered that, they inclined to run over us, and I turned to get out of the way of their horses, but as I turned they struck me over the head.

Q. With what?—A. With a stick, a big four-edged stick, and cut my head, and here is the marks now to show for itself. [Exhibiting his head.] My shirt was full of blood and it pains me in my neck now.

Q. What did you do then?—A. I just turned and went off and held my head down.

Q. The blood was running then?—A. The blood was running then, yes, sir; and one of the officers took me off and said it was a shame, and carried me and showed me to the rest of them and said it was a shame, and the blood was on my collar and I could reach my hand round and catch it so. [Clasping his fingers together as if to grasp a handful of blood.]

Q. What was their talk at that time?—A. They said, "O, God damn it, we works this thing; we carries this thing on; you all been having these things into your hands all this time, but, God damn it, we carries this thing on now." That is what they said to me; I heard them say it.

Q. Were there any others driven away besides yourself?—A. Well, there was, I reckon, as near as I can come at it, about two hundred of us in the crowd at that time.

Q. What did your crowd do?—A. Some of them ran and some of them stood and some fell over the fence, and Mr. Cain told them to go up to the court-house and see if they couldn't vote there. He told us that three times, and we went three times, and we came back and couldn't vote. I staid there until 6 o'clock in the night and never did go to the polls after they struck me.

By Mr. MERRIMON:

Q. How far do you live from town?—A. I live six miles, sir.

Q. You couldn't vote?—A. I couldn't vote.

Q. Were not the United States officers and Army there?—A. The United States officers were there, but they never came down there until they struck me, and then I went down there to them, and then they ordered out some of the men to go down there and divide the way; and things went on until night, and then the colored people started off, two or three and nine or ten at a time, and they never did get to the polls.

Q. Why did you not get an officer to take you up to poll No. 1?—A. We did get Mr. Cain and General Butler, and General Butler said we couldn't vote there.

Q. Are you sure of that?—A. Yes, sir; I am sure.

Q. Did you hear it?—A. I heard it.

Q. You swear to that?—A. I swear to that. I will tell him so if he is in here now.

Q. You are mad at him, are you not?—A. Yes, sir; I am.

Q. Why did you not get an officer or soldier to go with you and make your way up to the box and put in your vote like a freeman?—A. That was left to the officers, you know.

Q. Did you apply to the officers to take you up?—A. I applied to Mr. Cain; he was an officer, I thought, at that time.

Q. Did he have command of the troops?—A. I suppose so; the troops was there.

Q. Who is Mr. Cain?—A. Lawrence Cain.

Q. He is your senator?—A. Yes, sir.

Q. A colored man?—A. Yes, sir.

Q. You did not apply to the military officer?—A. No, sir; I knowed nothing about that; no more than so far as I had learned at the time.

Q. Did you see any other colored man going up to box No. 1 to vote?

The WITNESS. At the court-house?

Mr. MERRIMON. Yes.

A. There was twelve of us went three times, and they wouldn't let us vote nary time.

Q. Who hindered you from voting?—A. General Butler met us every time and said we couldn't vote there.

By Mr. CAMERON:

Q. What time of the day did you first go to the court-house to vote?—

A. I don't know exactly what time of day it was; about 8 or 9 o'clock, I reckon, or maybe 10; I don't know.

Q. But you went there three times that day?—A. Yes, sir; three times. I can prove that by Mr. Cain; he said maybe they will let you vote this time, and General Butler was there every time and said we could not vote there.

By Mr. CHRISTIANCY:

Q. You say it was Mr. Cain you went to?—A. Yes, sir.

Q. And you were asked the question if he commanded the soldiers? Did he command the soldiers at all?—A. I don't know whether he commanded them. Let me see, now—

Q. He was not the military officer, was he?—A. No, sir.

Q. He didn't belong to the Army?—A. No, sir.

Q. He didn't command the Army there, did he?—A. Not as I knows of.

AMBROSE CARTLEDGE—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

AMBROSE CARTLEDGE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Edgefield County.

Q. At the Court-House?—A. No, sir.

Q. How far from the Court-House?—A. Twenty-seven miles.

Q. In what town or precinct?—A. In Ryan Township.

Q. How long have you lived there?—A. I have been there seven years exactly, this month.

Q. How old are you?—A. I am thirty-nine years old.

Q. Are you a republican?—A. Yes, sir.

Q. Where were you on the day of the last election?—A. I was at Tolbert Township voting-precinct.

Q. What office, if any, did you hold at that time?—A. I was deputy marshal.

Q. You may tell us what took place at Tolbert precinct on the day of the election.—A. Well, sir, there was nothing much took place more than some voters said to be—

Mr. MERRIMON. Say what you know; don't say what is said to be.

By Mr. CAMERON :

Q. Do you know whether or not any men from Georgia voted there ?
—A. There was one that I was acquainted with sworn there, but I don't believe they let him put his vote in. I was acquainted with him.

Q. He tried to vote and they didn't let him put it in ?—A. They didn't let him put it in.

Q. You may state whether or not any men who came up there refused to give their names.—A. There was several voted there did not give their names out to the managers. I don't know who they were myself.

Q. Did the managers ask their names ?—A. Yes, sir.

Q. What did they do then ?—A. They whispered and gave their names to the clerk, but the managers didn't understand what the names were ; they would not call their names out so that the managers could hear.

Q. How many voted in that way, do you think ?—A. There was so many that I cannot tell how many.

Q. Can you give us some idea of the number ?—A. I don't know as I could well, to be sure of it ; but there was several.

Q. Was the clerk a democrat or republican ?—A. Democrat.

Q. A white man ?—A. Yes, sir.

By Mr. MERRIMON :

Q. Two of the managers were republicans, were they not ?—A. Yes, sir.

Q. And there was one white man ?—A. Yes, sir ; one white man was a democrat.

Q. You were a deputy United States marshal ?—A. Yes, sir.

Q. Did you live in that precinct ?—A. I live in Ryan Township.

Q. You do not live in that township ?—A. No, sir ; I was marshal at that box, though.

Q. You did not know that you had no right to be a marshal at that box, did you ?—A. I was sent there by the chairman of the county appointing me marshal.

Q. The chairman of the county appointed you marshal ?—A. Yes, sir.

Q. Who was he ?—A. Lawrence Cain.

Q. Lawrence Cain sent you up there ?—A. Yes, sir.

Q. It was not the United States marshal that sent you, then ?—A. No, sir.

Q. It was Lawrence Cain ?—A. Yes, sir.

Q. Who were these men that sent you up there ?—A. I don't know them.

Q. You don't know where they were from ?—A. No, sir ; I don't know where they were from. They were strangers to me, altogether.

By Mr. CAMERON :

Q. Did you vote at that place ?—A. I did, sir.

Q. And it was in Edgefield County ?—A. Yes, sir.

Q. And you live in Edgefield County ?—A. Yes, sir ; just five miles from my house to the voting-place. We have no voting-precinct in Ryan Township, and that was the nearest precinct to me.

Q. Why was there not a voting-box in Ryan Township ?—A. I don't know, sir.

By Mr. MERRIMON :

Q. Were there any troops there ?—A. No, sir ; no troops.

Witness was excused, and was about to leave the stand, when he said, I would like to tell you something further.

By Mr. CAMERON:

Q. Tell us all you know about it.—A. I want to say that there was threats to me that I should not stay in that section.

Q. What were those threats?—A. That I should not live in that section.

Q. Who said that?—A. Mr. Blackwell's club said so; I don't know which one said so.

By Mr. MERRIMON:

Q. Did you hear them say so?—A. No, sir; but I received a note, and the name of Mr. F. P. Wells was on it. I lived on his land.

By Mr. CAMERON:

Q. Have you that letter?—A. He must have wrote it; his name was signed to it.

Q. Have you that letter?—A. No, sir; I ain't got it with me. F. P. Wells was trial-justice for Ryan Township. On the 14th day of December I received the note. His brother-in-law foted it. I was not at home when he foted it. So my people told me, and Mr. Wells's name was signed to it, I know.

Q. When was that?—A. On the 14th day of December.

Q. What did it say?—A. That I had to be away from there on the 15th. I had to leave my home on account of voting. That is what the letter said.

Q. What did you do?—A. Well, sir, I came to Edgefield Court-House on that day; the next day was the 15th, and I met the board of county commissioners at Edgefield.

Q. Have you been back home since?—A. Yes, sir; I have been back home since. They sent me word to leave again.

Q. Who took word to you the second time to leave?—A. A colored gentleman that lived hardly a quarter of a mile from my house.

By Mr. MERRIMON:

Q. What sort of a commission as deputy marshal did you have?—A. I cannot exactly tell you without I had the paper here.

Q. Did you have the paper?—A. Yes, sir.

Q. Signed by Mr. Cain?—A. Yes, sir; signed by him.

Q. That was the only paper you had?—A. No, sir. I think it was printed. I had two.

Q. Do you know who else signed it?—A. I don't remember.

Q. Where is that paper?—A. I left it at home.

Q. Why did you not bring it here?—A. I didn't intend to come here until I got to the village; I didn't know I had to come down.

Q. You have the paper yet?—A. Yes, sir; I have got it at home.

Q. It is a printed paper?—A. Yes, sir.

Q. Who signed that you don't know?—A. No, sir; I disremember.

Q. You voted?—A. Yes, sir; I voted.

Q. Was there a large vote at the place where you voted?—A. There wasn't any colored voters there. There wasn't any Yankees there; they were afraid to come.

Q. How many colored voters are there?—A. Fifty-five, I think, if I mistake not.

Q. Is that the usual vote of the colored people at that place?—A. Yes, sir.

Q. Were any of them killed?—A. Nobody was killed at all.

Q. Was anybody whipped or shot?—A. Nobody whipped and shot at the box that I was at, that I heard of.

Q. You were the marshal?—A. Yes, sir; and I staid right at the door all day long.

Q. And kept them straight?—A. Yes, sir; tried to. I didn't try much, because I was running a great risk to stand there, I thought.

Q. Still you stood it?—A. Yes, sir; I stood it. They abused me right smart, but I didn't mind that.

Q. You didn't curse any?—A. No, sir.

Q. You are a religious gentleman?—A. No, sir; but I am a member of the church, and I never did swear in my life.

By Mr. CAMERON:

Q. The Senator has asked you if 55 votes was the usual vote. By that he means was it as large a vote as was cast there years before that.—

A. No, sir; it ain't as large a vote; I know that myself; but we knew that there would be no soldiers there, and the colored people were afraid to come there. I was appointed, but I was afraid to come, and would not have went if I could have got out of it, but I was afraid to run the risk of not coming; but I advised my men—I carries a hundred and odd men in Ryan township, but I sent them all up to Liberty Hill where the soldiers were, all but the old men; I took them with me because I thought they would not be hurt. We got there about half past seven o'clock.

Q. The colored people were afraid to go there to vote, were they?—A. Yes, sir.

Q. What were they afraid of?—A. So many threats was made they were afraid to run the risk of their lives to go there when there was no soldiers there, and they were toting their guns about there a day or two; and that evening they met at the church, the white folks did, with their guns, and we were afraid to go and vote, and I advised my men to go to Liberty Hill. There was a precinct there at White House, but there was no polling-place this last time at all. Before they had a box there, but we never went there at all; we went to Liberty Hill. It is five miles only from Tolbert's voting-precinct to my house. That is the nearest place. I concluded it would not do for us all to go there on account of no soldiers being there, and I advised my men to go to Liberty Hill where the soldiers was, and I took the old men with me, and told them to go away just as quick as they could after they voted and not to stay there.

Q. Were the white people armed who were at Tolbert's station on the day of the election?—A. I never saw any arms, only pistols.

Q. Most of them had pistols?—A. Yes, sir; all of them had pistols, but I never saw anything before that.

Q. Before the election did the white people ride around through the country on horseback?—A. O, my, yes, sir; every day and night; that is a certain fact, and I will swear to that and kiss a stack of Bibles as high as I can reach. That was a regular thing.

Q. Did you hear them shoot off their guns?—A. I heard of it; I didn't hear the guns.

By Mr. MERRIMON:

Q. Have you a gun?—A. Yes, sir.

Q. Did you have a pistol with you at the election that day?—A. Yes, sir.

Q. And a gun, too?—A. No, sir; I didn't carry a gun at the box.

Q. Didn't the colored men all have guns?—A. No, sir; not a one of them.

Q. Do they not generally have guns?—A. I command that precinct, and I don't allow them to carry guns.

Q. Who gave you authority to command that precinct?—A. My colored people gave me authority to regulate and rule it.

Q. And yet the whites don't kill you?—A. No, sir.

Q. You and the whites are rather friendly toward each other and work together?—A. No, sir.

Q. Are you not rather a fishy republican now?—A. No, sir; I don't know about that.

Q. Do you not sometimes split your vote?—A. No, sir; I never did in my life.

Q. You go it straight?—A. Yes, sir; I don't care who is on the ticket. I go right straight through.

Q. Right or wrong?—A. I always does it. I am going to tell you the truth.

By Mr. CAMERON:

Q. You think any republican is better than a democrat, don't you?—A. I shan't say that; I don't think I have a right to say that neither.

Q. You would rather vote for a straight republican than for a democrat?—A. Yes, sir; I would rather do that. You asked me for the fact and I am going to tell you. I am a man that likes peace and pleasure wherever I go. I have a large family, and it is a great trouble for me to be moving about from place to place, and I believe in peace wherever I can have it; and I believe in my business and sticking to it, and I stick to it and don't interfere with other people's.

THOMAS P. CARROLL—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

THOMAS P. CARROLL (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Edgefield County.

Q. How far from the court-house?—A. About twenty-five miles.

Q. How long have you lived there?—A. All my life.

Q. How old are you?—A. I will be twenty-seven years old the tenth of the coming March.

Q. To which political party do you belong?—A. To the republican party.

Q. At what voting-precinct were you on the day of the last election?—A. At Haltiwanger's store.

Q. What official connection did you have with the election?—A. I was manager of the election.

Q. Were you republican manager?—A. Yes, sir.

Q. Who was the other republican manager?—A. Levi H. Graham.

Q. Who was the democratic manager?—A. Daniel H. Tompkins.

Q. State to the committee what occurred at the voting-place on the day of election?—A. Well, sir, on the morning of the election, about forty minutes after five o'clock, I and the other republican manager and about two hundred colored republicans with me were going to the polls; as we got within two hundred yards of the place we were met by about one hundred and seventy-five or two hundred democrats, formed in line, with revolving repeaters to their sides, coming to meet us, and asking

for Tom Carroll. Some would say, "Here he is;" and some would say, "Kill him, the damned son of a bitch; he has brought a hell of a crowd here to outvote us to-day." Then we were pursued on to the place. They pursued on coming to meet us, and had dismounted and their horses were hitched around, and they walked all through the crowd; and some would say, "Here he is on this side;" and some would say, "Let's kill him now;" some said, "We can't have no election here, he is behind time." I says, "Gentlemen, I don't think it is six o'clock yet." I said, "I am ready to go on"—myself and the managers—and after such a time they agreed that we should do so. We commenced in a store-house, and I asked Mr. Haltswanger, who owned the store, for a private room to go into for the use of the board of managers, and he gave us the privilege of the room; and when we went into the room the first business we commenced was to proceed to elect a clerk for the board. We suggested Captain J. H. Brooks, and I sent out for him to come in and take his oath.

By Mr. CHRISTIANCY:

Q. Was he a white man or a colored man?—A. He was a white man and democrat, president of the democratic club there. He came in and says, "I understand that you and your party here has appointed me clerk." I says, "Yes; we suggested you for one." He says, "You God damned son of a bitch, do you suppose I would act as clerk for any such God damned dogs as you?" I says, "I don't think you have the right to turn me off in that way; there is no need of it;" and he says, "God damn your soul, you just whimper if you dare. I have fellows enough to hang you and your crowd between the heavens and the earth; and I can do it myself." I says, "There is no need of that." I says, "I can get some one else to act as clerk." He then went out of the door and went to about fifteen of these fellows he had with him and opened the door in one of the rooms. They said, "Yonder he is," and cocked their pistols and pointed them at me, and I made sure they were going to fire; and after that I got out of the window and suggested to the colored people that we break up there; that we couldn't have an election, and to go to Richardsonville, where the soldiers were, and where we would be protected. After this Captain Brooks and some more saw that I was bound to leave the place or else have a fair and square election, and they all just said that if I would stay there and continue quiet, and keep my men there, we would have a fair and square election. Then I agreed to it. We elected George Haltswanger as clerk and swore him in; as we swore him in I then attempted to go back in where we had placed the box, and as I came back about two hundred of them had come in and jumped upon tables and counters and pulled out their pistols and shoved them in my face and said that I had to stay there and perform my duty as manager of the election. I told them I was ready to proceed to business. The next business was as to how we should poll the votes, enroll the names of the voters; and Mr. Tompkins, the democratic manager, said we would take a man's name as we come to it and would not care who it was. I says, "I think, Mr. Tompkins, we should enroll the names of these voters that we see here, white and colored." He says, "We ain't going to do that." Said I, "I think it is right that we should do that." He says, "No, by God, you are just scared that we are going to vote more democratic tickets than you are republican tickets, and by God we are going to do it. Now, by God, you had better dry up, by God, we are going to show you that we are going to have our way about things when you are sent here

under instructions from Governor Chamberlain and Lawrence Cain to rob the people; and by God we are going to show you that you don't do it. We have boys here sufficient to keep you from doing it." Then the other crowd says, "No, God damn him, he shan't do it; before he shall do it we will shoot him. These God damned niggers shan't vote here nohow." And he says, "Get out of this house."

By Mr. CHRISTIANCY:

Q. Who said that?—A. I cannot identify the names. There were several more outside parties. So they drove all the colored people from the house. They had stationed in the house, it seemed to me, nearly between seventy-five and eighty double-barreled guns.

Q. Who had?—A. The democrats had.

Q. In the same house?—A. In the same house in the corner right where I stood, and as near as I can come at it, I reckon, about twenty-five were Enfield muskets. When they drove the colored people out of the house and swore that they should not vote there at all, they kept them out of the house for about three hours and no one entered but we two managers; and they were there standing, at the same time trying to make us agree to let them enroll the list just as they saw cause—let just so many democratic negroes as they saw cause be enrolled; and they told me there that if I would agree to let them manage the thing as they wanted to do that they would give me a good salary; but I told them, "Gentlemen, I would rather die than do anything of that kind; all I want is a fair, square election." Daniel Tompkins, the other manager, said, "By God, I don't care a damn whether you do or not; we will make you do it." One said, "By God, if he stays here until night he won't have a chance to do it. By God, we are going to vote as we damn please, and vote as many times as we please, and we will keep him here to-night and we will make him write a certificate that it was a fair and square election." When I heard that I said, there are only as many as could vote crowded in and voted, were around with clubs and pistols—broke their way through and voted anew, and I was threatened to be shot again by some man, I don't know who he was, if I would open my mouth, and he held his pistol to my face. After that I saw it was my best plan to go away. I staid a few minutes longer and saw a crowd come up from Newberry, about seventy-five in number, mounted, coming from Chappel's Ferry. There was a road right straight from the ferry to that place; and as I saw these parties coming they came in the house and in the same shape they met me in the morning, cursing me and saying they were going to hang me to a sour-apple tree and to the first limb; and so in about five minutes I got up to go out like I was going to feed my horse, and they followed me out and watched me. One or two had pistols. I came back in the house again, and after that I watched for another chance, and when I saw that they were engaged with another crowd that was going up I went a back way through the woods and got in the river swamps and made my escape and left the place.

By Mr. CHRISTIANCY:

Q. What time of day was it that you left?—A. About twelve or half past, I reckon.

Q. Did you go back there again after that?—A. No, sir; I did not.

Q. Is that all you know about the election?—A. Yes, sir.

Q. Did any of them follow you?—A. They followed me; as I left I came back directly to the Saluda River, and they suspected that I would go right straight on home, and about fifteen of them mounted their

horses and went past me through the old fields and swamps and woods in that direction, thinking they would find me, but I was altogether behind them, and I came out in the river swamps down in the edge of the fields where I could see them a mile from me, and I staid behind them until I got home.

Q. How long did they keep up these threats against you?

WITNESS. After the election?

Mr. CHRISTIANCY. Yes.

A. The same threats is in force now. Since then they have shot me once or twice; they have shot me running.

Q. Describe that.

WITNESS. Tell about the shooting?

Mr. CHRISTIANCY. Yes; describe the whole thing about their following you up and shooting you.

A. During the election there was several repeaters come to vote—

Mr. MERRIMON. Don't you state anything that you don't know.

WITNESS. I know this.

Q. How do you know it?—A. They are the same men I have been employed by during the war.

Q. How do you know that they had voted at any other place than that on that day?—A. I know their names, and I know that their names was changed. I knew the men; I lived with them twelve months while I was a slave. They came there and changed their names.

By Mr. CHRISTIANCY:

Q. Voted by another name?—A. Voted by another name.

Q. How many such were there?—A. There was three that I know.

Q. Give their names.—A. One was a man who signed his name, "D. A. J. Bell."

By Mr. MERRIMON:

Q. What was his real name?—A. That was his real name, but he came there and voted.

By Mr. CHRISTIANCY:

Q. Go on with the others.—A. The next one was named Abner Clay, and Pierce Mathis.

Q. What name did the first one vote by?—A. Alfred Bell.

Q. The next one?—A. Abner Clay voted by the name of Henry Jackson.

Q. How did the other one vote?—A. He voted by the name of T. J. Delorme.

Q. Were there any other instances of that kind that you know of?—A. After they had done this, I went before the United States commissioner, and reported these men for changing their names at that place, and that they had voted twice; and on reporting them he had them summoned before him.

Q. Who was the United States commissioner?—A. Mr. C. H. Wright.

Q. These three were all democrats?—A. Yes, sir.

Q. You say they shot you sometimes. Describe that transaction.—A. After this.

Q. How long was that after the election?—A. It was Christmas. I was going to Edgefield Court-House that morning early, and there was a crowd of them put on dough-faces, and two of them came and met me in the road.

Q. Were they on horseback?—A. They were walking.

Q. Were they armed?—A. Yes, sir; and they caught me and pulled off my clothes.

Q. What did they say to you when they got you?—A. Not a word at first. They pulled off both of my coats and taken my best coat and hat and pistol, and at that time I had a great deal of money in my possession. I had sold some land as acting sheriff of Edgefield County, and had collected the money up to the amount of \$5,000. I had about \$25 of other money in my pocket and several notes; and in pulling off my clothes they searched each coat-pocket, and, after getting my coat off, they then, one of them, run his hand in my pants pocket and, as he did that, I took one hand and caught hold of his and held it, and he struck at my head with a pistol and struck my hand; and by that time he had torn my pockets out, and asked me whose money was this. I told him it was part of my own money, and some of it was money that I had collected as an officer according to law. They wanted to know where I was going; I told them. They wanted to know what was my name; I told them. They said, "You are the very God-damned son of a bitch we have been looking for for many days. Thanks be to God we have got you. Now, sir, you remember you never report any more white men for voting at the election. You will never be another God-damn radical leader. You have done your last." They had taken my coat and pocket-book and my hat, and then they said, "Take up your other old coat, God damn you, and put it on." I taken it up and put it on. One of them says, "What will we do with the damned son of a bitch? This is him, and we had better make way with him when we have got him." The other one says, "I think we had better carry him to our club and hang him." The next one says, "We haven't time to fool with him," and he cocked his pistol; and when I saw that I turned and run into the bushes, and he shot at me and shot me through the thigh. I had only got about four steps before I got into the woods, and just as I got to the edge of the woods he fired again and shot me through the side. Then he fired at me again, but I had by this time got into the woods, and they pursued me; but I ran to make my escape as hard as I could, and when I got about two hundred yards off I stopped and looked to see whether I could discover them, but I didn't see them or hear them. I then found that I was shot through the leg, so that I could not walk without stopping every moment or two. About half an hour after this I had scrambled and got to some place, and I saw a house about half a mile from that place, and I went to the house, and in a few minutes after I got there we saw about fifteen red shirts coming from the other direction through that woods, and coming up to the cross-roads and yelling and hollering.

Q. Did they see you?—A. No, sir; I kept myself hid, but I saw them. I was in a house over there on a little hill where I could look down and see them.

Q. What did they then do?—A. They didn't do anything more. Since that time I have laid close until I was summoned here, and made my escape and got this far. This is the first time I have been out since.

Q. How were you shot through the leg?—A. I was shot right here in my thigh. It went through my thigh-bone and come out.

Q. The scar is there now I suppose?—A. Yes, sir.

[Witness exhibited the scars on his thigh where the bullet had gone in and come out.]

Q. Since that time have any threats been made that you know of, or have you been kept concealed?—A. I been concealed; I have not heard of any threats since that time.

By Mr. MERRIMON :

Q. What became of the election where you were a manager?—A. Well, the democrats claimed that they didn't vote any more after I left.

Q. Where was your colored colleague?—A. He left too. He thought it was best that he should go away too. But I didn't think they were after him so much as they were after me.

Q. But he left?—A. Yes, sir.

Q. The election was broken up?—A. Yes, sir.

By Mr. CHRISTIANCY :

Q. You don't know what occurred, of your own knowledge, after you left?—A. No, sir.

By Mr. MERRIMON :

Q. Do you know whether there were any returns from that box or not?—A. The democrats made out a return.

By Mr. CHRISTIANCY :

Q. Do you know anything about that yourself?—A. I saw the box sealed up. I came to Edgefield Court-House after they made the returns and saw it.

By Mr. MERRIMON :

Q. You didn't sign the return?—A. No, sir.

Q. Who did sign it—just one man?—A. One man transacted the whole business.

Q. Are you sure of that?—A. Yes, sir.

Q. You are sure your colleague didn't join in the return?—A. No, sir; he didn't join because he left. He told me he left about ten minutes after I did.

Q. These troubles that you had were all political?—A. Yes, sir.

Q. Nothing else?—A. Nothing else.

Q. Have you been charged with perjury?—A. No, sir; I were once in reporting these very white men.

Q. Were you indicted for perjury?—A. They taken a warrant for me, but they had no proof.

Q. Are you bound over to court now?—A. Yes, sir.

Q. What court?—A. The Edgefield court of general sessions.

Q. When is the court there?—A. Next March is the time set for court.

Q. When was the last court there?—A. The last court to have been last November, but it wasn't. That was the regular session for court.

Q. Why wasn't the court held there?—A. On account of the election, I suppose, sir.

Q. What judge holds that court?—A. R. B. Carpenter.

Q. What offices have you held over there?—A. Coroner.

Q. How long have you been coroner?—A. Two years; since the regular election of 1874.

Q. You coroner now?—A. Yes, sir.

Q. Have you been sheriff at any time?—A. I acted as sheriff for about five months.

Q. Whose money was that you had in your pocket when you were shot on the road?—A. It was the money of Emanuel Lord, of Charleston, whose mortgage I foreclosed.

Q. Did those robbers get the money?—A. Yes, sir.

Q. You didn't recapture it?—A. No, sir.

Q. You have no knowledge where it is?—A. I could not identify the party.

Q. Were they white men or black men?—A. I judged they were white men, from the only part I could see, which was their hands. As near as I could distinguish them at that time of night, I judged them to be white men.

Q. How many were there?—A. Two.

Q. Just after that you saw a gang of red-shirts?—A. Yes, sir.

Q. How long after that?—A. I suppose about an hour, or maybe not so long as an hour.

Q. How could you see them at the distance of a mile in the night?—A. This was just about the crack of day, I said, when they attacked me, and an hour after I got to the house, then they was come out. It was about sunrise then.

Q. Do they not charge over there that this alleged robbery of you is all a pretense of yours?—A. So I hear since.

Q. That it was a ruse on your part to get this money?—A. That is what I understood, sir, since.

By Mr. CHRISTIANCY :

Q. What kind of disguises had those men on so that you could not see them?—A. They had on these false faces.

By Mr. MERRIMON :

Q. How much money did you say you had?—A. I think \$5,020.

Q. How much of that was your own?—A. I had a commission of \$57 in the \$5,000.

Q. What have you done with the process you had?—A. It is at the sheriff's office in Edgefield Court-House.

Q. The money was not paid in?—A. No, sir; it was only paid in to me. Certain parties had settled with me, and on my return I had settled with parties who represent this party at Charleston.

Q. But you did not settle because you have been robbed?—A. Because I have been robbed I did not settle.

Q. Now the allegation is that that was a pretense on your part to keep this money?—A. Yes, sir; that is what they say.

GEORGE W. HOLLAND—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

GEORGE W. HOLLAND sworn and examined.

By Mr. CAMERON :

Question. Where do you live?—Answer. In Edgefield County; in the village of Edgefield.

Q. What official connection, if any, did you have with the last election in your county?—A. I was one of the commissioners of election.

Q. Are you a republican?—A. I am.

Q. Who was the other republican commissioner?—A. Jesse Jones.

Q. Who was the democratic commissioner?—A. D. R. Durisoe.

Q. It has been stated that the commissioners determined to hold the poll at the court-house, in the lower part of the court-house, but that the box was removed from that part of the court-house into the courtroom, I think, or into the upper part somewhere. State what knowledge you have in regard to that.

Mr. MERRIMON. State your own knowledge.

A. Mr. Jesse Jones and I together, which constituted the majority of the board of commissioners, instructed the managers to hold the poll at the door in the basement of the court-house below; and the night previous to the election we went to the court-house and we placed a large table right across the door; and we went and saw the two republican managers—they were living there at the place—and instructed them to hold the poll there. That is as far as I know about it. It was undoubtedly removed.

Q. Where was the box actually put during the election?—A. Up-stairs in the court-room.

Q. For what reason did you direct that the box should be placed in the lower part of the court-house?—A. From the fact that we believed that the voters could all vote very readily by coming in at one side of the basement and going out at the other, and passing right along. We thought that that was the better arrangement.

Q. How is access to the court-room obtained?—A. By a pair of steps some twenty-five steps high.

Q. On the outside of the building?—A. On the outside; yes, sir.

Q. Where were you during the day of the election?—A. Well, part of the time I was at box No. 1 in the court house.

Q. Now, what time did you get to box No. 1?—A. Tolerably early in the morning—about seven o'clock in the morning, as near as I can come at it.

Q. What was the condition of affairs at that box when you went there about seven o'clock?—A. I didn't get near the court-house steps. I got in about thirty or forty yards of it.

Q. Why did you not get there?—A. It was surrounded or partially so, the way that I came up from the south side of the court-house. I live down about two hundred yards from the court-house, and in coming up to the court-house I found that horsemen—"red-shirters" as we call them—democrats—were between me and the court-house, coming up to the court-house very thickly, quite numerous; and inside of those were footmen, also democrats. And I saw from the defiant attitude of them and the brandishing of pistols and clubs, and hollering and making threats and so on, that it would not be safe for me to go any further. That is what I thought at the time. At any rate, I endeavored to pass through where they were not so thick, where the horses were standing, and some parties must have known me, for they asked me where I was going. I told them I was going to try to get to the court-house. They said, "You can't get in here;" and I immediately turned around and went around these horsemen. I went directly up to box No. 2, held at Macedonia school-house, about a quarter of a mile from there, or nearly half a mile.

Q. Now you can state what condition you found affairs in at box No. 2, when you went there.—A. Well, about the same.

Q. You may state whether or not the whites were pretty generally armed in Edgefield on the day of election.—A. They were.

Q. How were they armed, with what weapons?—A. I saw some of them have guns, and they had pistols and clubs; pistols were strapped around them; some had two pistols, very large pistols. A great many of them had guns strapped on their horses.

Q. Did you vote on the day of election?—A. I did not, sir.

Q. State generally why you did not vote.—A. Well, as I tell you, I didn't feel safe in trying to vote at box No. 1, but later in the day I went up to box No. 2 and tried to vote, and I found that it was in the same condition as box No. 1, and there was a very large crowd there, as

a matter of course. Some of them were voting; and I stood there at box No. 2 from the time I first went there, about 8 o'clock, I think, perhaps a few minutes sooner, until about 3 o'clock in the afternoon, and finding at that hour the impossibility of so many voting who were there waiting to vote, that they could not possibly all vote, why, I in company with Senator Cain and Mr. Jesse Jones, the other republican commissioner, got a large crowd, perhaps three hundred, and started towards the court-house, thinking perhaps at that time we would be suffered or allowed to vote. I got the crowd and came on down and got as near as 150 yards, perhaps, to the court-house, and we met a very large crowd of democrats. They were armed, and had pistols brandishing in their hands.

By Mr. CHRISTIANCY:

Q. Were they on horseback?—A. On horseback; and there were footmen also behind them; and we were met by General Butler. This crowd asked us where we were going. We told them that we were going down there to try to vote; and then I turned down another street following Senator Cain, and the crowd went down another street; and we could not go directly to the court-house. We stopped in front of Senator Cain's residence a few moments and then went on down past the office of the commanding officer. I believe his name is General Brannan. I think Senator Cain asked him whether he could give us any protection, or have the way opened at box No. 1, so that we could vote, saying that it would be impossible for us to vote unless the way was opened at box No. 1. He didn't give us any satisfaction whatever. In the mean time General Butler was there, and he used some very rough language, cursing and abusing us.

Q. General Butler was where?—A. He was at the post headquarters.

By Mr. MERRIMON:

Q. State what he said; don't say that he used "rough language."—A. I cannot state what the oaths and words were that he did say.

Q. You can tell us what he did say. Don't say that it was rough language.—A. Among other things he said that Senator Cain had been trying to raise a disturbance there that day, and that he be damned if he didn't intend to put a stop to it; that he had better go back to that crowd at the school-house. In the mean time Mr. John C. Sheppard, a leading democrat there, told Senator Cain that he would guarantee that if we wanted to vote we could vote if we would follow him. A crowd of us did follow him part of the way toward No. 1, and before we got up to the court house Sheppard turned around and cursed considerably, and told us to go back to the school-house. He used very profane language. Of course I cannot remember the exact language, but I know he cursed bitterly, and drove us back. We turned around and went back, and I finally went back up to the school-house, and remained there until the polls closed. I will state that in the mean time, when we first came down to the court-house, General Butler was on horseback, and he followed the crowd. Mr. Jones and I and General Butler were at that time in the road. Senator Cain was some distance ahead of us, and I accosted General Butler and said to him, "General, I haven't voted yet, and I find it an utter impossibility, on account of the great crowd at the school-house, to vote. I believe that I am entitled to vote, and have a right to do so, and I shall make another effort to vote at box No. 1, or die in the attempt." Now that was my language. He says, "It would be a damned easy matter for you to die. You can be killed very easily." That is all that was said by him.

By Mr. CAMERON :

Q. How many colored republicans, in your opinion, were prevented from voting by the threats and violence which you have described?—A. I should judge between seven and eight hundred.

Q. Did you assist in canvassing the vote of Edgefield County?—A. I did, sir.

Q. State what you did in reference to the canvassing of that vote, and anything that came under your own observation in regard to the canvass.—A. Well, we didn't count the votes.

Q. You didn't count the ballots?—A. No, sir; but we simply signed the returns as they came from the managers.

Q. You aggregated the managers' returns?—A. Yes, sir.

Q. Did you sign the return?—A. I did.

Q. Why did you?—A. It was my duty to sign it. True enough, I wouldn't have signed it had I felt disposed to be left to my own inclination.

Q. What induced you to sign it, then?—A. Well, sir, fear of violence being perpetrated on my person if I did not sign it.

Q. What threats or demonstrations, if any, were made against you in regard to it?—A. Well, there was a great deal of demonstration, but no particular direct threats; but then the demonstrations were such that I knew—I was a better judge for myself, and I felt as though—and I believe that I would have been murdered had I not signed the returns as they came.

Q. Did you consider the election a fair one?—A. I did not, sir. I saw from the appearance of the boxes on their return to us as canvassers or commissioners—I was induced to believe that fraud had been practiced.

Q. What evidence did you have that fraud had been practiced?—A. In several cases—I may say two-thirds of the boxes were not sealed; that is, the little hole where we deposit the ballots through was not sealed, and the key-holes were not sealed. All the locks were the same, and any one key could have opened all the boxes. In fact, I mean any scroll-key, I believe, would have perhaps opened the boxes, and they didn't come sealed. Any one choosing to practice fraud on the boxes could easily have opened the boxes and drawn the lids and closed them again.

Q. On what day were the votes canvassed?—A. I think on the third day after the election. I think that was our instruction under the law, that we were to complete everything, and everything that was mailable was to be mailed before four o'clock, in Edgefield, on the third day after the election.

Q. You may state whether or not, during the time you were canvassing the votes, there were any armed white men in the streets of Edgefield, and, if so, how many?—A. O, yes, sir; a very large crowd. They were drunken and boisterous, and used a great deal of profane language and yelling.

By Mr. MERRIMON :

Q. You were tolerably frightened, were you?—A. Well, yes, sir; of course I didn't feel very safe under such circumstances.

Q. How many armed men were in the court-house where you were canvassing the vote as commissioner?

The WITNESS. In the court-house, in the presence of the canvassers?

Mr. MERRIMON. Yes.

The WITNESS. Well, I do not know the exact number, of course; but they were all armed, or most of them. I saw several.

Q. Tell us whether they were armed or not?—A. They were.

Q. You swear that they were armed?—A. Yes, sir.

Q. How many men were there?—A. I don't know exactly.

Q. Give us an idea, sir?—A. Perhaps twenty or thirty, I will say—

Q. Are you sure that there were as many as twenty?—A. As near as I can remember.

Q. Was there any cursing and display of arms in there?—A. No display of arms, but cursing and swearing.

Q. Were there any threats?—A. I think there were.

Q. Who made them?—A. I don't know the parties.

Q. Do you know that there were threats made while you were counting the vote?—A. Yes, sir.

Q. And there were threats made out in the street?—A. Yes, sir.

Q. You heard them?—A. Yes, sir.

Q. Did you hear any firing of guns?—A. I don't remember of any firing of guns.

Q. Were the loud demonstrations out there round about the court-house?—A. There was firing of guns, not on that day as I can remember, though there might have been.

Q. I ask you if there was any crowd about there that was unusual on the day after the election that you canvassed the vote?—A. Yes, sir; the crowd was unusual.

Q. How large?—A. Well, they were scattered considerably on the streets and around.

Q. How many men?—A. Well, perhaps a hundred or more. I could not of course make an accurate statement.

Q. Was there any military company there at that time?

The WITNESS. Where, sir?

Mr. MERRIMON. At Edgefield.

A. Yes, sir.

Q. How many boxes were there?—A. Well, I don't know how many.

Q. More than one?—A. I judge so, I do not know; I never ascertained.

Q. I am getting at the grounds of your fears?—A. There might have been two boxes or one, I don't know, sir; but I knew the soldiers were there.

Q. But still you swear that you signed that return because you were afraid?—A. Yes, sir, I did.

Q. You would not have signed it if you had felt perfectly free to do as you chose?—A. Not at all; no, sir.

Q. I ask you whether you and Cain and Jesse Jones didn't yourselves advise those colored men not to vote, in order that you might kick up a row after the election?—A. No, sir.

Q. You swear to that?—A. Yes, sir.

Q. Didn't Sheppard say that he would take you to the ballot-box?—A. I stated a while ago that he did say so.

Q. Did he not say "Come on, and I will go with you?"—A. He did.

Q. And you followed him a piece and then turned back?—A. We turned back after he had turned himself first and cursed and abused us in very bitter language and told us to go back, and the be—I can't use the language.

Q. O, yes, you can say it; you won't be accountable for it.—A. He told us to go back to the school-house. I have never been implicated in any such teaching.

Q. You swear that he told you to go back?—A. Yes, sir; Mr. John C. Sheppard did.

Q. He is a young lawyer there?—A. Yes, sir.

Q. What is your business there?—A. I am following the practice of the law. I am a member of the bar.

Q. Have you held any office over there?—A. None at all.

Q. Are you a native of that part of the country?—A. I was born in the State, in 1846; I was taken to Ohio in 1856, before the war, and I returned to Edgefield County two years ago.

Q. Have you been an active republican ever since?—A. Well, no, sir; I have been a republican, but then I have never canvassed the county, never made a speech since I have been there. I was simply appointed to be commissioner of election, and I endeavored to discharge that duty.

Q. I will ask you this question: Whether you had any right or power to determine whether the election had been lawful and fair, or otherwise, as a commissioner?

The WITNESS. Under the law?

Mr. MERRIMON. Yes.—A. I do not know, sir.

Q. Did you not sign that return because you thought it was your duty to do it, without reference to whether it was a proper election or not, and that you had no right to decide upon the merits of the election?—A. No; I don't think that, and I believe yet that if I had been free to do as I pleased, if I saw that there had been fraud practiced on the boxes, or knew the returns to be fraudulent, of course I had a right not to sign the returns as coming from the managers.

Q. Did you not send up a protest?—A. I did not send up any protest.

Q. Did Jesse Jones?—A. Not that I know of; I saw an article in the Edgefield Advertiser saying that he signed a written protest. I don't know whether he did or not.

Q. I ask you if he did not sign a protest to accompany the return, and that you either did or did not sign it with him?—A. I don't know whether he did or not. I know that protests were sent with the returns, but I don't know whether he sent one or not.

Q. Have you not said repeatedly that you signed the return because you thought it was your duty to sign it, and that you did not sign it through fear?—A. Well, upon condition that it was fair, and I was satisfied, and I was satisfied, of course, I think then it would have been my duty.

Q. Have you not said so—that you signed it?—A. I don't think I have. If I have, of course I make the alteration; and I want you to understand, if you will, that of course I thought it was my duty as a matter of course, being a commissioner, to sign if there wasn't any fraud.

Q. Have you not said repeatedly, to various persons, that you were not governed by fear at all in signing that return?—A. No, sir.

Q. You swear you never did?—A. I never did.

By Mr. CAMERON:

Q. Is there anything else that you desire to state?—A. Nothing else that I can remember.

ROBERT CHANDLER.—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

ROBERT CHANDLER (colored) sworn and examined.

By Mr. CHRISTIANCY:

Question. Where do you live?—Answer. In Edgefield district.

Q. Do you live at Edgefield Court-House?—A. Yes, sir.

Q. What is your age?—A. About fifty-two.

Q. Are you a republican or democrat?—A. Republican, sir.

Q. In what capacity did you act during the campaign?—A. To issue out tickets.

Q. Were you chairman of a precinct?—A. Yes, sir.

Q. That is, chairman of the republican organization?—A. Yes, sir.

Q. At what precinct?—A. At Landrum's store.

Q. Will you state whether you had anything to do with distributing tickets for the republicans?

The WITNESS. Did I have anything to do with distributing tickets?

Mr. CHRISTIANCY. Yes, sir.—A. Yes, sir.

Q. Was that on the day of election?—A. Yes, sir.

Q. Did anybody interfere with you?—A. Yes, sir.

Q. State the facts.—A. I was surrounded by the democratic party, and they said that there should not be a republican ticket throwed that day; that if it was cast it should be cast in blood.

Q. They were the white men around there who said that?—A. Yes, sir; Mr. John Swearengen.

Q. Was he the one who told you that there should not be any republican tickets cast?—A. Yes, sir; he was the only man, I know him. There was some three or four men that I can call the names of.

Q. Did you have any conversation with any other democrat about the time of the election?—A. Yes, sir.

Q. State what it was.—A. Mr. Alfred Holmes said that they didn't intend for the damned niggers to make laws for the white folks, and if they didn't believe what he says—he turned around and showed his pistol and hauled up his coat and showed two pistols.

Q. What did he say if they didn't carry the election?—A. He says, if they didn't carry the election they would "take it, by God." He said, it belonged to them, and if they didn't carry it they would take it anyhow.

Q. Were there a large number of democrats around the poll?—A. Yes, sir; there was a great many of them there.

Q. Were there companies of them there on horseback or anything of that kind?—A. Yes, sir; there was a large quantity of them there. There was Mr. John Carpenter—

Q. I don't ask you for the names now. Did they have any arms, pistols or guns?—A. Yes, sir; John Carpenter drew his pistol, and they had to catch him and hold him.

Q. Did he draw it on you or somebody else?—A. Yes, sir; he drewed it on me.

Q. Who stopped him?—A. Dr. Jennings.

By Mr. MERRIMON:

Q. What voting place are you talking about?—A. At Merriwether's precinct, at Landrum's store.

Q. How many people voted there?—A. They didn't none of the republicans vote there at all, only but one. I think there was one voted there,

but I had four hundred tickets to issue out, and I was there until a quarter of seven o'clock, with four hundred tickets to issue out.

Q. Were you there all day?—A. No, sir; I was there until a quarter of seven o'clock, and the time was then come for me to go to Edgefield.

Q. Why did you go there to vote?

The WITNESS. To vote?

Q. Did you vote there?—A. No, sir; I did not vote. I couldn't get near the poll.

Q. You didn't vote anywhere?—A. I didn't vote nowhere. No one of my name voted that I knows of.

Q. There were no colored voters at Landrum's store, but one?—A. But one that I know of, and that was Handy Tanks.

Q. How many colored men were there to vote?—A. I reckon there was about three hundred, as near as I can make a calculation of it; about three or four hundred.

Q. You left by seven o'clock?—A. A quarter of seven o'clock I left there.

Q. What made you leave there so early?—A. I was drove away by the democratic party. I had no showing at all.

Q. Who drove you away?—A. Mr. John Swearengen, and Alfred Holmes, John Carpenter, Jerry Whitlock, Hart Quarles, and a good many others that I cannot name.

Q. They scared you off?—A. No, sir; but they driv me off.

Q. Did they shoot you?—A. No, sir; they didn't shoot me, but they drawed their pistols on me like they was going to shoot.

Q. Did they strike you?—A. No, sir.

Q. Did the remainder of the colored people run off?—A. No, sir; they said they shouldn't never vote there that day.

Q. Did they run off?—A. Yes, sir; they run us off.

Q. They ran you all off?—A. Yes, sir; they ran us all off.

Q. No votes were cast there at all?—A. No votes except democrats there.

By Mr. CHRISTIANCY:

Q. Do you know that there were no colored votes put in after you left?—A. There was no republican votes voted while I was there. There wasn't nary a one cast there.

Q. But of course you don't know what took place after you left?—A. No, sir; away late in the evening, about two o'clock in the evening, Handy Tanks came to Edgefield to get two republican tickets for his brother Sam, and they is all that I know of.

C. L. FULLER.—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

C. L. FULLER (colored) sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. I am 27.

Q. Where do you live?—A. Laurens.

Q. What is your occupation?—A. Farming.

Q. With what political party do you affiliate?—A. The democratic party.

Q. State if you were at the last election in the county, and if so, where.—A. I was at the New Hope precinct.

Q. Give the committee an account of how the election was conducted, and whether it was peaceable, or noisy and turbulent.—A. It was very peaceable and quiet as far as I could see. I was there all day, from 7 o'clock until the votes were counted.

Q. State whether you saw anybody on the republican side, white or black, in any way intimidated by having violence offered them.—A. No, sir; no one at all; it was very quiet all day.

Q. Did you take any part in the late campaign?—A. No, sir; nothing more than voting.

Q. A man by the name of Augustus Henderson has sworn here on the 25th of December, that yourself and some other persons met him on the road, and that you said if he voted for Chamberlain he would not get home; state whether or not that is true.—A. I can state that I do not know of any such boy in the county anywhere. I was at New Hope all day, from morning till night. I haven't been to Laurens since August, I don't think; the day that Hampton spoke is the last day that I have been there.

Q. You were not there at the last election at all?—A. No, sir; I was at New Hope all day; I can prove that by a hundred people, black and white, I suppose.

Q. Of course you didn't make the threat that he says you did, if you were not there?—A. No, sir; I do not know any such boy in the whole county.

Q. Was the vote at your precinct a large one?—A. No, sir, not very; about 500, or a little over. Most of the colored people went to Laurens—a great many of them went.

Q. Do you know Daniel Wheeler, a negro of your county?—A. Yes, sir.

Q. Do you know his general reputation?—A. Well, he is considered to be rather a bad negro, so far as stealing is concerned. I do not know that he took any hand politically, but he is considered a staunch rogue.

Q. That is his reputation?—A. Yes, sir; he lives on my brother-in-law's plantation.

Q. Do you know Isaac Jordan?—A. Yes, sir.

Q. Do you know his reputation?—A. Yes, sir; he used to belong to my father-in-law; my father-in-law raised him. He is considered to be a rogue especially. I never heard of him taking any hand politically; I do not know anything about that.

Q. I ask you whether Daniel Wheeler and Isaac Jordan, two colored men in your neighborhood, are charged with larceny at this time?

(Question objected to unless the warrant upon which they are alleged to have been arrested is produced.)

(Subsequently the original warrant was produced, of which the following is a copy:)

SEARCH-WARRANT.

State of South Carolina, County of Laurens:

Nathan Cook, being duly sworn, doth depose and say that, on the 11th day of November, 1876, at his house in the said county, was stolen and embezzled one hog, weighing about one hundred and fifty pounds, valued at \$10, the property of said deponent. The said hog was shot and killed and carried away some distance from deponent's house, into a piece of woods, by one Daniel Wheeler, Isaac Phillips, alias Jordan, and by one Henry Jordan, with intention of larceny—the personal property of Nathan Cook; and this deponent suspects that the said property has been stolen or embezzled by Daniel Wheeler, Isaac Phillips, alias Jordan, and Henry Jordan, and that the same or part thereof is now concealed in their houses in the said county, wherefore process is applied for to search for the same.

NATHAN COOK, his x mark.

Sworn before me the 13th day of November, 1876.

J. S. BIRD, Jr.,
Trial-Justice.

State of South Carolina, County of Laurens, ss:

To any lawful constable of the County of Laurens, greeting:

Whereas complaint on oath has been made to me, John S. Bird, jr., one of the trial-justices of the said county, by Nathan Cook, of ———, in the county aforesaid, that certain personal property, viz, one hog, weighing about one hundred and fifty pounds, valued at \$10, have lately been stolen or embezzled out of the premises of deponent, Nathan Cook, in the said county, by some person or persons to him unknown, and that he suspects that the said property is concealed in the houses of Daniel Wheeler, Isaac Phillips, alias Jordan, and Henry Jordan:

Therefore, the State of South Carolina commands you to search the place where the said property is suspected to be concealed in the day-time, and that you bring the same before me, and the said Daniel Wheeler, Isaac Phillips, and Henry Jordan, to be dealt with according to law.

Given under my hand the 13th day of November, 1876.

JNO. S. BIRD, JR.,
Trial-Justice.

State of South Carolina, County of Laurens:

State *vs.* Daniel Wheeler, Isaac Phillips, Henry Jordan.

Search-warrant.

J. S. BIRD, JR.,
Trial-Justice.

I appoint J. S. Boyd special constable to execute this warrant, according to due course of law.

JNO. S. BIRD, JR.,
Trial-Justice.

I certify that this 13th day of November, 1876, I searched the houses of Daniel Wheeler and Isaac Phillips, alias Jordan, and found parts of a hog secreted under a pile of cotton in the said property of deponent.

JAMES S. BOYD,
Special Constable.

Q. I ask you whether they have the common reputation of thieves?—

A. Yes, sir; they have.

Q. Do you know a negro by the name of I. W. Rice?—A. Yes, sir;

I only know him, though, when I see him.

Q. You do not know his reputation?—A. No, sir; I do not.

Q. Do you know Raphael Stewart?—A. No, sir.

Q. Do you know W. H. Danlap?—A. No, sir.

Q. Do you know W. H. Rath?—A. No, sir; I do not know him personally.

Q. Do you know Harrison Hunter?—A. No, sir.

Q. Do you know a man named Prince Glenn?—A. No, sir; I never saw him in my life until since he has been here.

Q. Do you know Perry Meredith?—A. No, sir; but he lived in our township.

Q. Do you know anything else about the election that would tend to show intimidation of voters on one side or the other?—A. No, sir; I do not.

E. E. LINDSEY—LAURENS COUNTY.

COLUMBIA, S. C., January 11, 1877.

E. E. LINDSEY sworn and examined.

By Mr. MERRIMON:

Question. Where do you reside?—Answer. In Scuffletown, Laurens County.

Q. How old are you?—A. Forty years old.

Q. What is your business?—A. Farming principally, and school-teaching.

Q. To what political party do you belong?—A. To the democratic party.

Q. Where were you on the day of the late election?—A. At Laurens Court-House.

Q. Had you any official connection with the election?—A. I was one of the managers at the court-house.

Q. At what box?—A. At precinct No. 4.

Q. State whether you were in a position to see whether there was any intimidation of voters around the box; and, if you say yes, state whether it was used toward whites or blacks.—A. I observed no intimidation whatever. I had a fair view of the town from the window that I was at. I could see all the town, except a small portion near the court-house.

Q. You observed no violence?—A. No violence.

Q. Did everybody vote that wanted to?—A. Everybody voted that wanted to.

Q. No person was rejected at all?—A. No person at all.

Q. Was there any obstruction in the way of persons coming to or going from the polls?—A. No obstructions.

Q. How many votes were polled at the box where you were?—A. I think 586.

Q. Which side had the majority?—A. The democrats had the majority.

Q. Do you know whether any colored men voted the democratic ticket?—A. I know that there were colored voters voting the democratic ticket.

Q. You were one of the managers, as they are termed here?—A. Yes, sir.

Q. You saw colored men vote the democratic ticket?—A. Yes, sir.

Q. Did you see anybody compel them to do it in any way?—A. No, sir.

Q. Do you know a negro in your county by the name of I. W. Rice?—A. Yes, sir.

Q. Do you know his general reputation?—A. Well, yes, sir; I have had very little to do with him, though.

Q. I do not want what you know. I want to know whether you know what the people generally say of him?—A. Well, people have a low opinion of him, so far as I know.

Q. Do you know in what esteem he is held by an indefinite number of people; can you say that generally?—A. His reputation generally is low, as far as I know.

Q. You do not exactly meet my question. I simply want you to say whether you know what the people generally say about him, not what you know of him of your own knowledge.—A. I don't understand the question, I don't believe.

Q. Do you know what the people generally say about him—not one or two or three men, but an indefinite number?

Mr. CAMERON. A majority of the people, white and black?

Mr. MERRIMON. I do not say that.

Q. Do you know what an indefinite number of people say about him?—A. Well, the people generally have a low opinion of him.

Mr. MERRIMON. I cannot get you to answer the preliminary question, whether you know what the people generally say of him. I will not press the question.

D. H. JOHNSON—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

D. H. JOHNSON (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live?—Answer. In Laurens County.

Q. What part of the county?—A. Scuffletown Township.

Q. How far from Laurens Court-House?—A. Thirteen miles.

Q. Where were you on the day of the last election?—A. At Clinton.

Q. What official connection had you with the election?—A. I was manager of the election at Clinton.

Q. Are you a republican?—A. Yes, sir.

Q. What is your age?—A. I am twenty-two years old.

Q. Do you know whether or not the democrats threatened or intimidated colored republicans on that day in Clinton? and, if they did, tell us what they said and what they done.—A. I don't know of any intimidation on that day.

Q. Do you know of any before that?—A. No, sir; no more than general threatenings, that they wouldn't allow any leading republicans to have any land in the county, and the like.

Q. Have you heard any democrats say that?—A. I have heard the speakers say so.

Q. Whom did you hear say so in a public speech?—A. I don't remember. I was at several meetings of the democrats.

Q. And what did they say about that?—A. They wouldn't recommend the republicans to have any land to work in the county.

Q. Do you know I. W. Rice, of your county?—A. Yes, sir.

Q. How long have you known him?—A. Since 1872, I think, sir.

Q. Do you know what his general reputation for truth and for being a good man in the community is? Say yes or no, that is, what the people generally say of him.—A. No, sir; I don't know what they say of him at all.

By Mr. MERRIMON :

Q. Let me ask you if the white men did not take this position, that the bad government which has been in existence in this State has made them poor, and they were not able to employ as many men as in the past, and that they would be obliged to stand by their friends in future employment. Was not that substantially what they said?—A. They said they wouldn't allow any leading republicans to have any land to work.

Q. Did they not say that they were broken up by misrule?—A. Yes, sir.

Q. And that they were made poor?—A. Yes, sir; they said the government was very corrupt.

Q. And that they were impoverished?—A. Yes, sir.

Q. And that they would not be able to hire as many as they had done?—A. No, sir; I don't remember of them saying that.

Q. Did they say that they would stand by their friends?—A. They said they would stand by the democrats.

Q. They would stand by those who stood by them?—A. Yes, sir.

WASHINGTON GARY.

COLUMBIA, S. C., *January 11, 1877.*

WASHINGTON GARY (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live ?—Answer. In Laurens County, Clinton Village.

Q. How old are you ?—A. About twenty-six years.

Q. Are you a republican or democrat ?—A. A republican, sir.

Q. Did you vote at the last election ?—A. Yes, sir.

Q. Where did you vote ?—A. At Clinton box.

Q.. What did you hear the red-shirt men say on the day of the election, or before the election ?—A. I didn't hear them say anything on the day of the election ; in fact, I myself didn't hear them say anything, but I heard a good deal of them talking about turning some of them off if they didn't vote for Hampton ; that they couldn't have none of the land to work. That was when they were riding about town, before the election.

Q. Did they ride about town a good deal ?—A. Yes, sir ; whenever they would have meetings they would put on their red shirts and blue shirts and ride about.

Q. Did you see any of them riding around all night ?—A. No, sir ; only the night of the election. There was about two or three hundred came in from each township to the town just about night, between sundown and dark. That is the only time I ever seen them ride at night.

By Mr. MERRIMON :

Q. Did you not tell Mr. G. P. Copeland that you did not know that anybody was intimidated ?

The WITNESS. Didn't I tell him so ?

Mr. MERRIMON. Yes.—A. Yes, sir ; I did.

Q. Do you know now that anybody was intimidated ?—A. I heard it, but it is not for me to say what I saw myself. I heard the colored people say so, but I don't know that any man said he had intimidated anybody. I don't think I told Mr. Copeland so ; I told Mr. Bell so.

Q. What ticket did you vote at the last election ?—A. The republican ticket.

Q. Did you want to vote the democratic ticket ?—A. No, sir.

Q. Did you tell Mr. Copeland you wanted to vote it ?—A. No, sir ; Mr. Copeland came to me himself ; he came there just before the election, on Friday, to tell me what he thought would be to my interest to vote. That was Mr. Josh Copeland, and he told me that he thought it would be to my interest to vote the democratic ticket. I told him I didn't know what ticket I would vote until the day of the election. He told me to tell him between Sunday and Monday what I would vote. He came again on Monday, and I told him I hadn't made up my mind yet, and I didn't know that I would vote at all. Them was the words me and him had. The day of the election he was sick, and me and him didn't have any words, and he told me himself, and the gentleman I was working with, Mr. Bronson, told me that it didn't matter which ticket I voted I should not be hurt.

Q. Were you examined in the Ku-Klux trials ?—A. Yes, sir.

Q. What did you swear ?—A. I don't know now ; it has been so long I could not remember.

Q. Do you remember whether you swore the truth at that time or

not?—A. I don't know what it was; if it was read to me I could remember it. Some man has got it, I reckon.

Q. You do not remember whether you swore the truth or not?—A. I say I don't know what it was now.

Q. Where did you swear?—A. I don't know what house; it was in some house here in Columbia.

Q. Did you swear before the judge?—A. I don't know whether he was judge or not; I didn't know the judge from anybody else; I don't know whether the judge was there or not.

By Mr. CHRISTIANCY:

Q. Whatever you did swear to was the truth, as you understood it at that time?—A. As I understood it, it was.

By Mr. MERRIMON:

Q. Did you ever tell anybody that you did not swear to the truth at that trial?—A. I told somebody part of it, I thought, was not the truth. I told them I thought some part of it was not exactly true.

By Mr. CHRISTIANCY:

Q. Did you mean to say to anybody that part of this testimony was not true when you gave it?—A. O, no, sir.

By Mr. MERRIMON:

Q. Did you not tell Mr. Copeland that a great deal of what you swore to was not the truth?—A. No, sir. They had me up——

Q. Who had you up?—A. I went up in the democratic hall. They had me marked as a leader; that is the way the thing came in.

Q. You are a republican leader?—A. No, sir; I am not.

Q. What are you?—A. I am just nothing but a republican; that is all.

Q. Just a plain republican?—A. Yes, sir.

Q. A quiet man?—A. A quiet man. I never had a fuss with a white man or a black man in my life. I am going on twenty-six years old the 10th day of this month.

By Mr. CAMERON:

Q. When did they have you up in the democratic hall?—A. Tuesday, in Christmas.

Q. Just before Christmas?—A. In Christmas.

Q. What did they have you up there for?—A. They said I was a leader, and that I had come here and swore things. That was the most that they had against me. I told them no, I didn't think that I swore anything that was wrong. They said yes, I did. In fact, they had put my name down on the book of a club.

By Mr. MERRIMON:

Q. Did you not join the democrats?—A. No, sir.

Q. You did not?—A. No, sir. I heard since they said I joined it, but I didn't intend to put my name there.

Q. That was Christmas?—A. Tuesday, in Christmas.

S. S. KNIGHT—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

S. S. KNIGHT sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. Thirty-nine years.

Q. What is your profession?—A. I am a physician.

Q. Where do you reside?—A. In Laurens County.

Q. With what political party do you affiliate?—A. With the democrats.

Q. Where were you on the day of the late election in your county?—A. At Young's store.

Q. In what part of your county is that situated?—A. That is in the northern part.

Q. Were you there during the whole day?—A. No, sir; I remained until about twelve o'clock.

Q. Were you about the polls much while you were there?—A. Yes, sir; I was within a few feet of the polls all the while.

Q. Did you observe there anything unusual—any violence or violent demonstrations?—A. I saw something unusual.

Q. What was that?—A. There was perfect quietude during the day, more so than I had observed at the polls before.

By Mr. CHRISTIANCY:

Q. That is what you mean by unusual?—A. Yes, sir.

By Mr. MERRIMON:

Q. Was there any intimidation of colored men, so far as you saw?—A. None.

Q. Did you take any part in the campaign in your county?—A. But very little.

Q. Did you belong to any democratic club?—A. I did belong to the club nominally, but I never visited it but one time.

Q. State whether you know anything about an alleged rape upon a colored woman in your neighborhood, and whether the father of the person raped was a democrat or republican.—A. There was a rape committed within about half a mile of my house upon a mulatto girl, the step-daughter of a negro man who belonged to the democratic party.

Q. State whether the person whose step-daughter was raped applied to you for any help or protection against lawlessness on that account; and if so, state what he said.

Mr. CHRISTIANCY. The witness having already stated that this man was a democrat, the testimony offered is mere hearsay and not competent, and I therefore object to it.

Mr. MERRIMON. I insist, Mr. Chairman, that the evidence, while it would not be technically competent in a court of justice, is competent for the purposes of the investigation with which this committee is charged, and for the purpose of giving information to Congress.

Mr. CAMERON. The question is ruled out.

By Mr. MERRIMON:

Q. What was the character of the parties charged with that offense?—A. I only knew two of them, sir.

Q. Did you understand that at that time there was any political motive for this transaction?—A. None.

Q. State whether your community took any action about that matter?—A. Yes, sir; about ten or twelve of the most prominent citizens of the community, at my request, went and investigated the place and the circumstances—examined the premises where she was said to have been raped. We found the ground had been wallowed, and found a brass spur at the place, and found that his gun had been taken and broken, and we found the stock and a piece of the lock lying upon the ground.

By Mr. CHRISTIANCY:

Q. You saw that yourself, did you?—A. Yes, sir; I saw the fragments of the gun and the spur.

By Mr. MERRIMON:

Q. Do you know whether any action was taken by Solicitor Fleming on the subject?—A. Well, we had two parties arrested; one was kept after the preliminary examination, which was adjourned until the next morning, and before morning he escaped. The other was lodged in jail and staid there until court-time, and was released without a trial.

Q. Do you know anything about the shooting of Mrs. Braddock and a man named Godfrey?—A. Yes, sir; I saw Godfrey's wound after he was shot.

By Mr. CHRISTIANCY:

Q. After he was said to have been shot?—A. Yes, sir; after he was said to have been shot I saw the wound.

By Mr. MERRIMON:

Q. Was he shot?—A. I presume that it was a gun-shot wound.

Q. Who is Godfrey?—A. Godfrey is a white man and a citizen of Dyas Township, and resides within six or seven miles of my house.

Q. Do you know whether or not he was shot on account of his politics?

By Mr. CHRISTIANCY:

Q. Were you present so as to know?—A. I didn't see the shot; I only know what Godfrey told me.

By Mr. MERRIMON:

Q. I ask you to tell me what Godfrey told you?

(Question objected to by Mr. Christianity, and objection sustained.)

Q. Was Mrs. Braddock shot?—A. Mrs. Braddock and her sister, Miss Stoddard, one about seventy and the other about sixty years old, were assaulted.

By Mr. CAMERON:

Q. You know that, do you?—A. I know that; I was called in as a physician and examined them.

By Mr. MERRIMON:

Q. You can say in what condition you saw them?—A. They were very much bruised about the head and face, and were insensible; I washed them.

Q. Was it alleged that Godfrey had anything to do with this?—A. Nothing.

Q. Do you know anything about the shooting of a man named Childress?—A. Well, sir, I was called upon to perform a post-mortem upon a man named Childress.

Q. A white man or a black man?—A. A black man.

Q. Were you at the inquest?—A. I was at the inquest, and got the ball out of him.

Q. Where was he shot?—A. He was shot through the pelvis.

Q. I ask whether or not you were present at the inquest, and if you knew the substance of the jury's verdict as to who was the guilty party?

(Question objected to by Mr. Christianity, and objection sustained.)

Q. I ask whether at any time you sought to induce the colored people to vote the democratic ticket by violence or threats?—A. No, sir.

Q. Is it within your knowledge that anybody else in your county did?—A. No, sir.

Q. Is there much lawlessness in your section?—A. There has been a good deal.

Q. Political or otherwise?—A. I did not regard it as connected with politics; I think it was owing, sir, to the lack of certainty of execution of the laws. I think the lawlessness is owing to a want of the execution of the laws. The guilty parties are not afraid of punishment.

Q. What party controlled your county?—A. The republican party has done so for several years.

Q. How many negroes have been killed in your neighborhood?—A. None in my neighborhood except that Childress.

Q. How many whites have been killed?—A. I do not know that there has been but one white, and I only know that by knowing that they were buying plank to make him a coffin. It was said that he was killed.

Q. Do you know any other general fact in connection with the election that would be interesting to the committee?—A. I do not. I will make this statement: there were a part of the negroes that staid at home on the day of the election, one who seemed to be and is in fact the leader in that immediate neighborhood.

By Mr. CHRISTIANCY:

Q. Leader of what?—A. Leader of the negroes in everything; they look up to him; he can read and write, and very few of them can, and they come to him for counsel.

By Mr. MERRIMON:

Q. I will ask you whether any colored man or men came to you the night before the election and expressed a desire to go to the election the next day and vote the democratic ticket but declined to do so; and if you say yes, please state the reasons that they assigned for not doing so.

By Mr. CAMERON:

Q. Were they democrats, or did they claim to be democrats?—A. This negro who came to me claimed to belong to the democratic party.

Mr. CAMERON. Then I object to the question.

Objection sustained.

By Mr. MERRIMON:

Q. Do you know I. W. Rice?—A. I never saw him, sir.

Q. He has sworn that there was a general reign of terror throughout the northern portion of your county during the late campaign. I ask if that is true?—A. As I stated before, there was a good deal of lawlessness, sir. I heard of a great many assaults and batteries.

Q. Were they political?—A. I do not think they were.

By Mr. CAMERON :

Q. You do not pretend to know ?—A. I do not know.

By Mr. MERRIMON :

Q. Do you know anything about the shooting of Isaiah Butler ?—A. I do not.

Q. Does he live in your neighborhood ?—A. He does not.

Q. Do you live in the northern portion of the county ?—A. I live in the northern portion of the county.

Q. Do you know of any excitement in that section of the county at all ?—A. No, sir.

Q. Do you know another negro man in your county named Raphael Stewart ?—A. I never saw him.

Q. Do you know W. H. Dunlap ?—A. I do not.

Q. Do you know W. H. Rutherford ?—A. I do not.

Q. Do you know Harrison Hunter ?—A. I do not.

Q. Do you know Prince Glenn ?—A. I do not.

Q. Do you know Perry Meredith ?—A. No, sir.

M. C. COX.—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

M. C. COX sworn and examined.

By Mr. MERRIMON :

Question. What is your age ?—Answer. Forty-one years.

Q. Where do you reside ?—A. In Laurens County, South Carolina.

Q. What part of the county ?—A. A little northwest from the courthouse.

Q. What is your business ?—A. Farming, and I am a practicing physician.

Q. With what political party do you affiliate ?—A. The democratic party.

Q. Where were you on the day of the election in your county ?—A. At Young's store, two or three miles from the Spartanburgh line.

Q. Were you there during the day ?—A. Yes, sir ; from the time the polls were opened until they were closed.

Q. Give the committee to understand how the election was conducted, whether peaceable or whether there was a display of violence.—A. It was as peaceable a day as I ever passed in my life. There was not an insult passed by any person, nor a word calculated to make an insult that I heard on that day. I was around about the polls during the day.

Q. Did you have any official connection with the political campaign on the democratic side ?—A. I belonged to the democratic executive committee of the county.

Q. Were you familiar with the practice and policy of the democratic party in conducting the campaign ?—A. I was. I was at every meeting that was held, except two, during the campaign.

Q. I will ask you whether at any time you sought to induce colored men to vote the democratic ticket by violence or threats ?—A. I did not.

Q. I ask you whether it is within your knowledge that anybody else did ?—A. I heard no such thing during the campaign ; their policy was of a conciliatory character.

Q. Was there any practice on the part of the democratic party as an organization, within your knowledge, leading to that end?

WITNESS. You mean violence or intimidation?

Mr. MERRIMON. Yes.

A. There was not.

Q. Do you know any facts in connection with an alleged rape in that neighborhood on a colored woman, and if you say yes, state what you know about it?—A. Well, the facts would be hearsay. There was a political meeting held, and that matter was brought before that meeting.

Q. Who was charged with it?—A. Some white men.

Q. What sort of men were they?—A. They were bad men.

Q. Did the committee take any action about it there?—A. They did in a public meeting take action, and recommended to the authorities the immediate arrest of the guilty parties, and that they should be brought to justice.

Q. What were the politics of the step-father of the girl who was outraged?—A. He belonged to the democratic party; he had joined it previous to that occasion.

Q. Do you know anything about the killing of a man named Childress in that county?—A. Yes, sir; I was called to that case.

Q. Who was he?—A. He was a colored boy, and said he was nineteen years old.

Q. Was he killed?—A. He died from the wound. I was called to him in about two hours. I attend to the practice of his employer, and he sent for me. When I reached him I saw that he was wounded very badly, and probed for the ball, but could not find it. I questioned him as to the difficulty, and he said a Mr. Putnam, with whom he had passed some words previously, had shot him.

Q. How long before he died did you visit him?—A. He was shot about two o'clock Saturday evening, and I visited him at four o'clock, and by Sunday night about twelve or one o'clock he died.

Q. Did you tell him that his case was fatal?—A. Yes, sir. I told him his condition was critical; that I could not find the ball, and I was satisfied that it had reached the internal organs; it was in that locality.

Q. Was he sensible that he was going to die?—A. He complained, and said that he believed he would die. He said, "Doctor, I believe I will die."

Q. State to the committee what the man said about the difficulty which led to his death—its origin.

Mr. CHRISTIANCY. I shall not object to the witness stating anything as to the mode of his killing or the mode of his being wounded, but I object to anything that led to the difficulty, because it is clearly illegal; such declarations are never admitted as dying declarations.

(Objection sustained.)

By Mr. MERRIMON:

Q. I ask you to state what account the dying man gave of the quarrel which led to the shooting.

(Objected to by Mr. Christiancy, and objection sustained.)

Q. Do you know anything about the shooting of Perry Meredith?—

A. I was called to Perry Meredith the morning after he was shot, but from press of business could not reach him, and sent his landlord to another young physician to take the case. I went the second morning after that. He said to me that a party came there asking for another man by the name of Myers, I believe, and that they told him that they were not going to disturb him; that he had taken his gun and placed

himself—it was a moonshiny night—and that one of them came before the door; that he shot one of them and run out under the fire of the guns. Those were exactly his words; and as he ran the party shot him twice. There were two gunshot-wounds; I examined them.

Q. Did he claim then that there was anything political in that controversy?—A. He did not. He did not mention politics in the case.

Q. Do you know anything about the shooting of Fred Sullivan?—A. Nothing more than reported circumstances.

Q. Do you know that any colored voters staid away from the ballot-box, and, if you say yes, state why?—A. Some few in my neighborhood staid at home.

Q. I ask you whether those negroes to whom you now refer stated to you that they were democrats and wanted to vote the democratic ticket, but were afraid of the republicans if they attempted to vote?

(Objected to by Mr. Christianity, and objection sustained.)

By Mr. CAMERON:

Q. Did Meredith know that you were a leading democrat?—A. Yes, sir; he knew it well. He lived within about two miles of me, and knew that I had taken a positive and decided stand in my politics.

By Mr. MERRIMON:

Q. Is there much lawlessness in your section of Laurens County?—A. Those two cases that have been mentioned here have been all that have occurred in my settlement and over beyond me in another settlement. This case of Childress was up above me, on the stage-road, as it is called.

Q. How do you account for that lawlessness?

By Mr. CAMERON:

Q. Do you know of the facts?—A. So far as I have known anything about them, they were personal and not political.

Q. You do not pretend to know anything about them personally?—A. No, sir, I do not.

Q. Did Meredith tell you how many men had fired?—A. Five men, is what he said.

Q. Did he tell you who they were?—A. No, sir, he did not; he never stated.

Q. Have the law-abiding members of that community taken any steps toward arresting those men?—A. I have never heard of any warrant being issued; I do not know anything about that; I am not connected with it in any way.

Q. Did you call a public meeting for the purpose of considering the case?—A. Yes, sir; one meeting was called at which the matter was brought forward, and I think the entire party recommended that such acts should be stopped if possible by both parties. Some of the blacks had shot some of the white men.

Q. Did this public meeting make any inquiry for the purpose of ascertaining who the men were that went to Meredith's house?—A. They had no clew to any party.

Q. Did they make inquiry? Did they appoint a committee to investigate?—A. They appointed a committee on that occasion to investigate the lawlessness as far as possible, and recommended to the authorities in the county that such acts be stopped. I did that myself.

Q. Who is the present sheriff of your county?—A. His name is Dodd Milan; he has only been appointed some two or three months ago.

Q. Has he entered upon the discharge of his duties as sheriff?—A.

I only know this, that from the advertisement in the county paper he is acting as sheriff; his office I know nothing about; I have not been in his office to examine anything.

Q. Will you please to state again just the conversation you had with Perry Meredith when you visited him in reference to this matter?

Mr. CHRISTIANCY. Give the language as nearly as you can.

A. Well, sir, he said that a party of men came to the house asking for another man named Myers, a colored man, and "they told me they did not want anything to do with me;" those were about his words—"I don't want to have anything to do with you. I am not going to pester you." He said he had taken his shot-gun and stepped into the shade so that the moonlight would not shine upon him, and fired; and upon that he ran out under the fire of the guns, and that the party shot him as he ran through the yard. He showed me where he was when they shot him, and pointed to the spot.

By Mr. CAMERON:

Q. That is what he said, as nearly as you can give it?—A. That is what he said, as near as I recollect. I treated him, as a physician, kindly and courteously, and he is well and hearty and sound, and is here now.

By Mr. MERRIMON:

Q. Were the county authorities of your county republican at the times you have spoken of, prior to the election, when these offenses were perpetrated?—A. They were.

Q. They tolerated this violence?—A. They tolerated it fully; I heard of but one attempt to arrest.

By Mr. CAMERON:

Q. Did all the white people of the county lend a ready submission to the colored officers of the county?—A. I never heard of any of them being prevented. I never saw any of it. I was there frequently and I saw nothing of the kind.

Q. Did you understand that those five men who went to Meredith's house were white men?—A. I don't know. I told you I didn't know anything about the men because he did not tell me who they were. I asked him, and he would not tell me who he thought they were.

Q. Did you learn that they were white men or black men?—A. I didn't learn anything about it, as I said.

By Mr. MERRIMON:

Q. I ask you whether you know of any instance in your county of any resistance to legal process when it ran?—A. I don't know anything of the sort.

By Mr. CAMERON:

Q. Do you know of any persons attempting to punish crime without process?—A. No, sir, I do not.

Q. Did you learn that those five men who went to Myers, as you call him, had process?—A. I did not. That is Perry's statement to me.

WILLIAM FOSTER—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

WILLIAM FOSTER (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live ?—Answer. I live in Laurens County.

Q. What township ?—A. Dyas.

Q. How long have you lived there ?—A. I have been there two years now.

Q. Where did you live before you went to Dyas Township ?—A. In Sullivan Township, in the same county.

Q. How old are you ?—A. Twenty-six.

Q. Was your house raided upon by white democrats on the Saturday night before the election ?—A. Yes, sir.

Q. You may tell the committee about it.—A. They came and broke in on me.

Q. What time of night ?—A. Well, it was about ten o'clock, I suppose.

Q. How many came ?—A. It looked like there was about twenty-five or thirty.

Q. Were they armed ?—A. Yes, sir.

Q. With what were they armed ?—A. Pistols.

Q. When they came to your house what did they say ?—A. They commanded me to give up my pistol and gun. I told them I hadn't none. They told me to get them anyhow. I told them I didn't have any. They asked me then was I a Hampton man, and I had to tell them yes to get shut of them. They sort of frightened me; there was so many of them. They had their pistols drawn on me.

Q. Do you know who any of those men were ?—A. No, sir.

Q. Did they break down the door, or did you open it ?—A. I opened the door.

Q. How did they ask you to open the door ?—A. They just rode up and jumped off their horses and told me, "God damn you, open this door."

Q. What else did they say, if anything ?—A. They said several words to me that I can't recollect; they said a heap of little things.

Q. They asked you if you were a Hampton man ?—A. Yes, sir.

Q. Did they draw their pistols on you at the time they asked you that question ?—A. Yes, sir.

Q. How many of them had their pistols drawn on you ? Two of them had their pistols drawn on me.

Q. Were they in your house ?—A. Yes, sir.

Q. How many came into your house ?—A. Some six or seven came in.

Q. Where were the rest at that time ?—A. They were standing out-doors around the house.

Q. Were they on horseback ?—A. Yes, sir; on horses and mules.

Q. You told them you were a Hampton man ?—A. Yes, sir.

Q. Did you vote at the last election ?—A. Yes, sir.

Q. Where did you vote ?—A. At Laurens.

Q. Which box did you vote at—do you remember ?—A. I don't remember.

Q. Are you a republican ?—A. Yes, sir.

Q. Did you vote the republican ticket ?—A. Yes, sir.

Q. Do you know of the red-shirt men riding about in the county of Laurens before the election?—A. I seen them, but to say I know any of them—

Q. You did see them riding about, did you?—A. Yes, sir.

Q. Were they in large squads or companies?—A. Some of them was in pretty good companies.

Q. Did you ever see them riding about of nights, except when they came to your house?—A. No, sir.

Q. Were they armed when you saw them riding around in the day-time?—A. No, sir; I never see no arms.

By Mr. CHRISTIANCY :

Q. Did you notice whether they had pistols or not?

The WITNESS. The red-shirt men?

Mr. CHRISTIANCY. Yes.

A. I seen them the day of the election, but then I never paid no attention as to whether they had any pistols or not.

By Mr. MERRIMON :

Q. What did they get after you about that night?

The WITNESS. What did they get after me about?

Mr. MERRIMON. Yes.

A. They just came there and inquired for my gun and pistol, and I told them I hadn't none.

Q. Had you been shooting about any?—A. No, sir.

Q. You never had shot anybody?—A. No, sir.

Q. You had never threatened to shoot anybody?—A. No, sir.

Q. What were you doing with a gun and pistol?—A. I didn't have none. They just came and called for them and I didn't have them.

Q. They were a shabby set of fellows, don't you think they were?—A. Yes, sir.

JAMES YOUNG—LAURENS COUNTY.

COLUMBIA, *January 11, 1877.*

JAMES YOUNG (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you live?—Answer. In Laurens County.

Q. What township?—A. Young's Township.

Q. How long have you lived there?—A. Well, I have lived in Young's Township—well, I suppose four years. I will say I know I have been there that long.

Q. Where did you live before you went to Young's Township?—A. I was raised right there in Young's Township. I was bred and born right there, and I have always been in it; that is, ever since six years ago. I went away; I was away from there the first year after the emancipation.

Q. How old are you now?—A. I can't give the date exactly. I could if I was at home; it is in the Bible. I will be thirty years old some time in February. I won't be positive what day.

Q. On whose land did you live before the election?—A. I was working for Mr. Abner White, a right close neighbor, and Mr. Evan Parks.

Q. You worked for him by the month or year?—A. I had been working by the month. I had a job of clearing that he gave me to do.

Q. You may tell us whether any democrats told you that if you voted a radical ticket they could not employ you.—A. Well, Mr. Patterson told me before the election—he was talking with me, and he said if we voted that way and went that way, they would make a separation of us, and would not employ us, and they that went with them would do so just as they would with one another.

Q. He said if you voted the radical ticket that they would not employ you?—A. Yes, sir.

Q. And if you went with them?—A. They would do by us as they would do with others. There was not but two men who told me that, Mr. Patterson and Mr. Wright.

Q. Who is Mr. Patterson; a white man and a democrat?—A. Yes, sir.

Q. Is Mr. Wright a white man and a democrat?—A. Yes, sir.

Q. Did they own land in that township?—A. Yes, sir; both of them in that township.

Q. Did you see red-shirt men riding around through the country before the election?

The WITNESS. Of nights?

Mr. CAMERON. Yes.

A. No, sir; I did not.

Q. Did you see them riding around in the day-time?—A. No, sir; I would see them going to Laurens in the day-time to speeches.

Q. Where do you live now and with whom?—A. I live at Mr. White's yet. I ain't finished work there yet; but Mr. White ain't never said nothing to me since the election about employing me, and me and him ain't had any words about that.

By Mr. MERRIMON:

Q. You voted?—A. Yes, sir.

Q. Where did you vote?—A. I voted the radical ticket at Laurens Court-House.

WILLIAM MOSELY—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

WILLIAM MOSELY (colored) sworn and examined.

By Mr. CAMERON:

Question. How old are you?—Answer. I think I am about twenty-four or twenty-five years old.

Q. Where do you live?—A. I live in Laurens County, Laurens Township.

Q. Where were you on the day of the last election?—A. I was at Young's store.

Q. What office did you have, if any?—A. I was United States deputy marshal.

Q. What, if anything, do you know about colored men being forced to vote the democratic ticket there?—A. Well, sir, they were just forced to vote the democratic ticket, and they drove them to the box in gangs to vote the democratic ticket.

Q. Now tell us how they were driven up there?—A. Dr. Sam Knight was leading them all in a gang, and drove them right to the box to vote.

Q. Where does this Dr. Sam Knight live?—A. He lives in Laurens, sir.

Q. Did you hear the white man say anything to these colored men?—A. O, yes, sir; he told them they had to vote that ticket; if they didn't vote the democratic ticket they would make it night for them; that they shouldn't have no homes if they didn't in twenty or thirty miles of the places where they lived.

Q. Who said that?—A. The white people—the democrats.

Q. Can you give the names of any one who said that?—A. No, sir; not particularly, I can't.

Q. What else did they say to the colored men?—A. They told them if they didn't vote that ticket, and one thing and another, they had a pass to give to get such damned rascals away from there; that is just exactly what they said.

Q. Do you know of white democrats threatening colored republicans that unless they voted the democratic ticket they would not employ them, or would turn them off of their places?—A. Yes, sir; and would not employ them at all.

Q. Who said that to them?—A. That was the white democrats, cussed them for everything all the time.

Q. Did you take any part in the political canvass before the election?—A. No; I only gave them good advice to vote the republican ticket. I am a republican man myself. They wanted me to do something to sort of signify that I was leader or something of the sort, and said that I could not have a home if I didn't, and in fact I haven't got a home.

Q. Who said that you could not get a home?—A. Mr. Sam, neighbors, and a whole parcel.

Q. White men?—A. Yes, sir; and democrats.

Q. Where were you living at that time; on whose land?—A. On Mr. Wallace's land.

Q. Is he a white man and a democrat?—A. He is a white man and a democrat.

Q. Are you still living on his land?—A. Yes, sir.

Q. Has he said anything to you about turning you off?—A. O, yes, sir; he said we had to go out.

Q. When did he tell you that?—A. He told me that about a couple of weeks before Christmas, and, I think, directly after the election, too.

Q. What reason did he give you for telling you you must get out?—A. Well, he said he could not hire radicals; he just said he was not going to hire no radicals at all on his place; he would let it grow up in bushes first, or something of that sort.

Q. How much of his land did you work last year?—A. Well, sir, I think I worked about twenty or thirty acres.

Q. Did you pay him the rent all right?—A. Yes, sir; I paid him everything. We haven't settled yet, but then he has got his pay, you know—that is, I owe him something; that is the reason I haven't been moved off, because he has not settled with me.

Q. Did he ever complain of you that you were not a good man?—A. No, sir; he never did. He always gave me a good name to work. You know he said I was a good hand; no bad character at all, more than my political opinions, you know.

Q. He didn't like your politics?—A. No, sir.

By Mr. MERRIMON:

Q. How many men went in that drove that they drove up to the

polls?—A. Well, sir, I declare I don't know; probably twenty-five or thirty; probably more.

Q. They just drove them up?—A. Yes, sir; they just drove them up.

Q. Did they take them by their collars?—A. O, no, sir; they didn't take them by the collars; they were riding and walking.

Q. Did they have guns?—A. They didn't have no guns, but they had pistols.

Q. Did they have any whips?—A. Yes, sir; I think they had whips.

Q. Did you see them occasionally whip a fellow with a whip?—A. No, sir.

Q. You didn't see them shoot at them?—A. No, sir; I didn't see any shooting at all.

Q. But you did see them driving them up?—A. Yes, sir.

Q. Twenty-five or thirty?—A. Twenty-five or thirty.

Q. And voted them against their will?—A. Yes, sir; the colored people told me they were obliged to do so, or be turned out of house and home, or something of the sort.

Q. You were very mad because they voted the democratic ticket, were you not?—A. Well, I didn't see why they should go against their own will. I know they went against their own will, because they were forced into it.

Q. You saw them forced into it?—A. Certainly.

Q. How many men forced them?—A. O, there was a good many white men.

Q. How many?—A. Well, I could not give any regular straight evidence how many there were.

Q. Who was the white poll-holder man?—A. Let me see—one was Bill Parks, I know.

Q. Is he a republican?—A. No, sir; and Dr. Westman was supervisor, I think. I don't know the other two white men.

Q. Were there two colored men there managers?—A. Yes, sir.

Q. And one white man?—A. Yes, sir; and two colored men.

Q. And two colored men were republicans?—A. Yes, sir; and the two colored men were republicans.

Q. And the white man and two colored men and supervisor and marshal all let the white men drive these colored men up to the box to vote as you have described?—A. Yes, sir.

Q. They didn't hinder them at all?—A. O, no, sir; just drove them right on and made them vote the democratic ticket.

Q. You swear that?—A. O, yes, sir; I swear that sure.

Q. What is the name of the white manager?—A. Bill Parks.

By Mr. CAMERON:

Q. Is there anything else you know about the election that you would like to tell us?—A. Well, no, sir; not particularly as I knows of.

J. W. COPELAND—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

J. W. COPELAND sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. Twenty-eight.

Q. Where do you live?—A. Clinton, Laurens County.

Q. What is your occupation?—A. I am a merchant.

Q. With what political party do you affiliate?—A. The democratic party.

Q. Where were you on the day of the election?—A. I was at Clinton.

Q. Had you any official connection with the election?—A. I was one of the supervisors.

Q. Give the committee to understand the manner of conducting the election, as to whether it was peaceable or quiet, and whether everybody was allowed to vote?—A. As far as I saw, and I was present all day, from sunup and before (before the box was opened) until the vote was counted, and everything was peaceable. There was no disturbance that I know of there.

Q. Was anybody prevented from voting?—A. No one at all.

Q. Did you see any armed men there?—A. I never saw any. I didn't see a single weapon during the day that I remember of.

Q. Were you at a meeting at Duncan's Creek at any time during the campaign?—A. Yes, sir; I was at a republican meeting at Duncan's Creek.

Q. How was it conducted?—A. Well, I will just make a full statement of it. In the morning, about seven o'clock, some negroes came from over in that country, and came down and said that there was going to be a republican meeting there that day. Some twelve or fifteen men, some on horses and some on mules, started from our place to go to that meeting, I among them. When we got there, I suppose there were some one hundred and fifty negroes, though I never counted them all, up in a squad. We rode out to one side, and remained there, I suppose, for an hour. During that hour the negroes didn't say anything or the white people. Finally, Mr. N. S. Harris got up and told the colored men that they didn't want to disturb the meeting—that they wanted to hear what the colored men had to say. Then they got up and stated the object of the meeting, which was to send delegates to the county convention, and they said they had nothing to say, no one had come prepared to make any speeches, and called upon Mr. Harris to make a speech. He did so. Then we tried to get some of the colored men to make a speech and give us a talk, and one Henry Johnson got up and made a very nice little talk with perfect satisfaction. Then a gentleman by the name of R. R. Blakely made a speech on the democratic side, and we had a very nice meeting, and the negroes expressed themselves as being very glad to have had an opportunity to discuss matters, and they felt relieved. They said that up to that time they had felt considerable dread of the white people on account of the violence, but after that meeting they expressed themselves as being glad that they had had an opportunity of having their feelings relieved of such dread. They said they would always attend the democratic meetings in future and take part in the discussion.

Q. A witness named I. W. Rice has sworn that at Duncan's Creek they did not demand a division of the time, but took possession of the meeting?—A. It is not so. I. W. Rice was not present at the meeting. I know that I was present myself, and I know that he was not there. I think you can have that testified to by one witness on the other side (Johnson) who was present. That is the only meeting I ever heard of at Duncan's Creek. There may have been some other, but he was not present at that, and the meeting was not taken possession of by the democratic party.

Q. W. H. Rutherford said in his testimony before this committee substantially this: Before the election there was a general system of threats and violence against colored republicans. Colonel Ball said, in

a speech at Laurens, that the republicans wouldn't get any work in the county; heard Dr. Irby say so in his speech at Clinton. Did you hear him say that?—A. No, sir; I have no idea that he ever made a speech in his life. I never heard of his making a speech, except in that testimony, and if he ever made one, I never knew it.

Q. Did you attend public meetings in your town?—A. Yes, sir.

Q. Did you ever hear him make such a speech as that?—A. No, sir.

Q. Do you remember the result of the vote at your polling-place?—A. Yes, sir; I think I can come within a very few of it. The democratic majority was 83, as well as I remember; somewhere in the 80's at any rate.

Q. How was that vote as compared with the vote of 1874?—A. The general vote was exactly the same as in 1874, or within one or two votes of it.

By Mr. CHRISTIANCY:

Q. That is, the whole number?—A. Yes, sir; the whole number.

By Mr. MERRIMON:

Q. Do you know whether many negroes voted the democratic ticket or not?—A. Yes, sir; I suppose 200 at our box voted the democratic ticket—200 or 300.

Q. Did you see them vote it?—A. Yes, sir.

By Mr. CAMERON:

Q. How many votes were cast at your place in all?—A. One thousand and fifty-two, I think—something over 1,000—between 1,000 and 1,100. I don't remember the precise numbers for the general ticket. There were some split tickets. I think Wade Hampton ran several votes ahead of the ticket probably.

Q. How did you ascertain that those colored men voted the democratic ticket?—A. Well, there was a great many of them would walk up to the box and pull out their tickets and open them, and express themselves plainly in regard to the way they were going to vote when they put the ticket in.

Q. Did you keep a list of those who did so?—A. No, sir. I do not speak positively of the number that voted. I only speak approximately.

Q. Did you keep a list of any of those who voted the democratic ticket?—A. No, sir, not any.

Q. Then it is a mere guess?—A. No, sir; it is a very correct estimate.

By Mr. CHRISTIANCY:

Q. That is, in your opinion it is very correct?—A. Yes, sir; I know there was about that many.

By Mr. CAMERON:

Q. I want to find out what knowledge you have upon which you base your opinion.—A. Well, sir, there was some twenty-five or thirty that was members of our democratic club at Clinton, and some twenty-five or thirty probably of the Jackson Township club and Seuffle Township club, and all those voted at our box.

Q. You do not know of your own knowledge whether they voted the democratic ticket or not?—A. Yes, sir; I think I could swear that every one did.

Q. Did you see them all vote?—A. Yes, sir; every one of them.

Q. Did they all open their tickets and show them?—A. No, sir; but I could very easily tell the tickets. The tickets were so that I could tell them apart pretty well, and they didn't try to keep me from seeing them.

ANDERSON COOK—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

ANDERSON COOK (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Young's Township, Laurens County.

Q. What is your age?—A. Twenty-four years.

Q. How long have you lived in Young's Township?—A. I have lived in that township ever since I was born.

Q. Did you vote at the last election?—A. Yes, sir, I did.

Q. Where did you vote?—A. At Laurens Court-House.

Q. Did any white democrats visit you the Sunday night before the election?—A. Yes, sir, they did.

Q. State what occurred at that time.—A. Well, they came to our house on Sunday night before the election, about half past ten o'clock at night.

Q. Where was your house?—A. Right on the big road.

Q. How far from Laurens Court-House?—A. Twenty miles.

Q. About how many came there?—A. About twenty-five or thirty.

Q. White men?—A. Yes, sir, white men.

Q. Were they armed?—A. Yes, sir, they were armed.

Q. Were they on horseback?—A. Yes, sir.

Q. Now tell us what they said and did.—A. Well, they didn't say anything much. They rode around the house and surrounded the house, and they got around the house, and when they got around the house I was up stairs, and I shot at them. They went outside into the big road, and they were there, and says, "I will come and shoot you again." That is what they said.

Q. Did they come to see you any more?—A. No, sir; they have never been back to see me any more.

Q. Did you continue to live there or did you go away?—A. I moved away. I have been gone nearly ever since the election.

Q. Why did you leave?—A. They threatened to kill me. They said if I staid there they would kill me, and I had to get away. I thought it best for me to get away than it was to stay there.

Q. If you were threatened you can state what you did in consequence of anything that you heard. State whether you left there or not.—A. Yes, sir; I left there, and I have been gone ever since the election. I haven't staid at home very much.

Q. Did you have any property there when you left?—A. Yes, sir; I had corn and cotton both. My cotton-patch was white when I left.

Q. In what condition was your corn?—A. It was lying on the ground.

Q. What became of your crop?—A. My people gathered it up for me; my father and brothers and sisters gathered my crop for me.

Q. Where did you go?—A. I went up about Greenville Court-House and above there.

Q. What did they have against you?—A. Not anything more than that I was a strong republican. They called me a sort of leading republican.

Q. Is there anything else connected with the election that you would like to tell us?—A. No, sir.

Q. I will ask you if you knew any of those white men who came to

your house and surrounded it?—A. Yes, sir; I know Mr. Holcomb and Mr. James Powers.

Q. What did they say when they were riding around your house?—A. They didn't say anything at all when they were riding around the house. They never said a word. They had made threats that they were coming there before the election, but I was prepared for them when they came and I didn't give them any time. They thought it was dangerous, I reckon, and they got out from there and got outside.

Q. How long did they stay at your house?—A. They didn't stay there but just a few minutes, because when they surrounded the house—there had been a heap of people outside lately and I thought it was time for me to go to work and help myself.

Q. Did you see the red-shirt men ride around through the country at night except at that time?—A. I never seed anything after night only then.

By Mr. MERRIMON:

Q. You fired on them and they cleared out?—A. Yes, sir; they cleared out.

Q. What sort of a gun did you use?—A. It was a pistol.

Q. How many shots would it fire?—A. Seven times, and I shot three times. They shot at me too.

Q. But you whipped them out?—A. Yes, sir; I whipped them out. They went anyhow.

Q. They left there in a hurry?—A. Yes, sir; they went out like they were hurrying to get out.

Q. Were you fortunate enough to reach any of them?—A. They said that I did. I didn't see any.

Q. You drew the first blood?—A. Yes, sir; I don't know, however, I never seen it. They said that I hit some of them.

Q. Where did you vote?—A. At Laurens Court-House.

By Mr. CAMERON:

Q. How many times did they fire at you?—A. Three times.

By Mr. MERRIMON:

Q. Each side fired three times?—A. Yes, sir.

Q. And each side missed?—A. Yes, sir.

By Mr. CAMERON:

Q. It was after night?—A. Yes, sir, it was after night

RANDALL CRUMMIE—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

RANDALL CRUMMIE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Dyas Township, above Laurens Court-House.

Q. How long have you lived there?—A. I have been living there about eight years.

Q. How old are you?—A. I am forty-four.

Q. Are you a republican or a democrat?—A. A republican.

Q. Were you visited by a band of white men about a week before the election?—A. Yes, sir.

Q. Tell us about that; when they went there, what did they do, and who were they.—A. They came there in the night. I don't know who they were.

Q. What time in the night?—A. Betwixt 9 and 10 o'clock.

Q. Were they on horseback?—A. I didn't see them. I heard them talking. They called for me, and asked my wife was I to home. She told them I was not, but I was lying there in bed. She done the talking, and I never moved.

Q. What did they then say?—A. They asked her where I was, and she told them that I had went off. They say, "Tell him if he goes to the election we intend to kill him, and his bed shall be in hell."

Q. That is what they said to your wife?—A. Yes, sir.

Q. And you were lying in bed and heard it?—A. I was lying in bed and heard it.

Q. They said if you went to the election and voted the radical ticket they would kill you?—A. Yes, sir.

Q. How many times did they come to your house?—A. Three times in a week; that is, after night.

Q. Were you at home when they came the other nights?—A. I was at home two nights.

Q. You may tell what took place the other nights when you were at home.—A. When I was at home they called for me, and my wife wasn't there that night; she was at a neighbor's house setting up with sick. The first night I didn't get up and answer, and they rode away.

Q. What did they say when they came to your house that night?—A. They called for me. I was at home, but I never made any answer; I laid still in my bed.

Q. You may state whether or not you were in the woods at any time before the election.—A. Yes, sir; I lay out about two weeks, and they run me one night and shot at me.

Q. About how long before the election was that?—A. That was just about a week before the election.

Q. Where were you when they run you?—A. I was right there, not quite a quarter of a mile from my house, at a neighbor's house, setting up with the sick.

By Mr. CHRISTIANCY:

Q. Were you in the woods?—A. No, sir; I was in the house setting up with the sick when they run me; and I run to the woods to save myself.

By Mr. CAMERON:

Q. Were they white men who run you?—A. Well, I supposed they were. I seen them coming when I were standing behind the house.

By Mr. MERRIMON:

Q. You ran and they ran after you?—A. Yes, sir.

Q. How many shots were fired by them at you?—A. They shot only once. That was the day before the election.

By Mr. CAMERON:

Q. Did you vote?—A. Yes, sir; I voted the ticket.

Q. Where did you vote?—A. At Laurens.

Q. Where do you now live; at the same place?—A. No, sir; I have moved from that place; about half a mile from where I was.

Q. What did they have against you?—A. Well, nothing more than they said I was a leading man.

Q. A leading radical?—A. Yes, sir; that is all I know that they had against me; that is what they said. They had nothing against me, only I was one of the leaders.

By Mr. MERRIMON:

Q. Did they work you in the lead?—A. No, sir; they didn't work me in the lead.

Q. You were not a leader, then?—A. No, sir; I am not a leader.

Q. They struck at the wrong man?—A. Yes, sir; when they struck at me they struck at the wrong man.

Q. They didn't kill you?—A. No, sir; they didn't kill me.

Q. They didn't prevent you from voting, did they?—A. No, sir; they didn't hurt me from voting, because I went on and voted my ticket.

Q. Where did you vote?—A. At Laurens Court-House.

Q. You didn't see any of these men?—A. No, sir; I didn't see any of these men.

Q. You don't know anything of them?—A. No, sir.

JAMES GAYLORD—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

JAMES GAYLORD (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Laurens County, Young's Township.

Q. How long have you lived there?—A. I was born and raised there.

Q. How old are you?—A. I will be 25 years old the 14th of next March.

Q. Have you heard the democrats make any threats against colored republicans? If so, state who they were and who made the threats.—A. I will begin at the first. On Monday evening we started to Laurens—

Q. Who?—A. Me and my brother; and there was fourteen of us in the crowd.

Q. All republicans?—A. Yes, sir; going to Laurens. Then we went on and Mr. Sing. Owens and Mr. Childress overtook us.

Q. Are they democrats?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. White men?—A. Yes, sir; and they took all our names down when we got back home.

By Mr. CAMERON:

Q. When did you go back home?—A. On Tuesday about 12 o'clock, the day of the election; then they threatened to kill us.

Q. Who did?—A. Mr. Jim Hawkins and Mr. Bob Young and Mr. Owens. They said they would fetch this man Butler Putnam up there and he would sell us out.

Q. Where were you when they said that to you?—A. I was at home. I worked in a saw-mill there at home. Then I lay out for a week over night and worked at the saw-mill every day, and they would tell me these reports every day.

By Mr. CHRISTIANCY:

Q. This was after the election?—A. Yes, sir; a day or two after the election; Wednesday and Thursday. I lay out over night for one week.

By Mr. CAMERON:

Q. What did they have against you?—A. Well, nothing only my republican politics. They said I was one of the leaders, they reckoned.

Q. How long did you work in the saw-mill there?—A. I have worked in the saw-mill five years. I was raised right at the saw-mill.

Q. Were those men who threatened you white men and democrats?—A. Yes, sir; all white men.

By Mr. MERRIMON:

Q. Have you not just fixed this tale to tell the committee?—A. No, sir.

Q. Are you sure you have not?—A. No, sir.

Q. Didn't you want to have something to tell them?—A. No, sir.

Q. You voted?—A. Yes, sir.

Q. You voted the republican ticket?—A. Yes, sir.

Q. All this happened after the election?—A. Yes, sir.

Q. They didn't whip you?—A. No, sir.

Q. Didn't shoot you?—A. No, sir.

Q. Didn't kill you?—A. No, sir; I reckon they would if they had got hold of me.

Q. You haven't seen a white man in Laurens since the election, have you?—A. Yes, sir.

Q. He didn't shoot you?—A. No, sir; he didn't shoot me.

By Mr. CAMERON:

Q. You laid out more than a week?—A. Yes, sir.

Q. What were you afraid of?—A. I was afraid they would come in on me. I was threatened about that time, and I thought it would be better to stay away.

By Mr. MERRIMON:

Q. Are you not afraid of ghosts?—A. No, sir.

Q. But you are afraid of white men?—A. Yes, sir; I am afraid of white men.

By Mr. CAMERON:

Q. You would not be afraid if one came up and gave you a good chance?—A. No, sir; I would not.

By Mr. MERRIMON:

Q. Give the names of these men who threatened you?—A. Jim Hawkins, Bob Young, Henry Thompson, and they said that they would fetch Mr. Butler Putnam in there to slay us out. He was at Laurens Court-House.

By Mr. CAMERON:

Q. What kind of a man is Butler Putnam?—A. A pretty rude kind of a man. He says he wants to kill twenty-five.

By Mr. MERRIMON:

Q. You have heard him say that?—A. Yes, sir; they said he said that last spring; and he knocked down a man that was in here.

Q. That man forgot to tell that, didn't he?—A. I don't know about that. He has the scar on his head.

By Mr. CAMERON:

Q. Butler Putnam is a notorious desperado, is he?—A. Yes, sir.

Q. And they said they would bring him and have him to clean you out?—A. Yes, sir.

Q. Is there anything else that you wish to say?—A. No, sir; nothing else.

N. J. HOLMES—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

N. J. HOLMES sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Twenty-nine years.

Q. Where do you reside?—A. In Laurens County.

Q. What is your occupation?—A. I am a lawyer.

Q. With what political party do you affiliate?—A. The democratic.

Q. State whether you took any part in the late political campaign in your county; and, if you say yes, state what it was and what opportunities for observation you had during the campaign in the county on both sides.—A. I canvassed a considerable portion of the county during the campaign. My speeches were nearly entirely to the colored people.

Q. Did you address many of them?—A. Yes, sir; at different meetings, and at different times, ranging from fifty to one or two hundred.

Q. The purpose of this committee is mainly to inquire into the subject of intimidation of colored voters for the purpose of inducing them to vote the democratic ticket. State whether you observed anything of that sort.—A. No, sir; in my speeches I endeavored to state what the condition of the country was to the colored people, the poverty to which it was being reduced; and I told them the necessity of having a better government, both for their interests as well as the interest of the whites; that both classes and both parties were becoming poorer and poorer every day, and unless this government was changed the State would be bankrupt; that the white people who had lands would not be able to support their families if this government continued, much less to feed the negroes. There was a good deal of interest manifested by the colored democrats in this subject.

Q. I will ask you whether you are familiar with the organization of the democratic party there, its executive committee and its several members?—A. Yes, sir.

Q. Do you know much of their movements?—A. Yes, sir; I knew pretty generally the outlines. I attended a great many of their meetings.

Q. Then, I ask you whether it is within your knowledge that that committee of the democratic party had any system or practice of intimidation of colored men?—A. No, sir; none at all.

Q. Where were you on the day of election?—A. I was at Laurens Court-House.

Q. How was the election conducted there?—A. It was conducted peaceably and quietly. I don't think I ever saw a more peaceable election in my life.

Q. Was there a large vote polled there?—A. Two thousand, I think, was the aggregate. I could not be positive as to the exact number.

Q. Was there a large portion of the colored vote in the county cast

there?—A. Yes, sir; I think the most of the colored vote was cast at Laurens Court-House. They were going in on the day before the election all day nearly.

Q. How did the election, in point of the number of votes cast, compare with the number of votes cast at the next election before that in the whole county of Laurens?—A. The vote of the last election was about 4,700, and the election in 1874—if the committee will not object, I have a statistical report of it, which I will use—it is about the same, may be one hundred votes different in the county. In 1874, Chamberlain against Green, Chamberlain's vote in Laurens County was 2,892; Green's vote was 1,815. Hampton's vote at the last election was about 2,500—a few votes over that, I do not remember; and Chamberlain's vote was a few votes, I think, over 1,800.

Q. Do you know a negro in your county by the name of Prince Glenn?—A. Yes, sir.

Q. Do you know his general reputation?—A. His general reputation is bad.

Q. It would have been in order before you came to that to say that you knew it. Bad for what?—A. Bad for veracity.

Q. Would you believe him on oath?—A. No, sir; I would not.

Q. Do you know a negro named Harrison Hunter?—A. Yes, sir.

Q. Do you know his reputation?—A. Yes, sir; I know it from general reputation.

Q. What is it?—A. It is bad.

Q. Would you believe him on oath?—A. No, sir; I would not.

Q. Do you know a negro there by the name of I. W. Rice?—A. Yes, sir; he is clerk of the court.

Q. Do you know his reputation?—A. Yes, sir.

Q. What is it?—A. It is bad.

Q. Bad for what?—A. Bad for veracity.

Q. Would you believe him on oath?—A. No, sir.

Q. Do you know a man by the name of Ellis Thompson—a white man?—A. Yes, sir.

Q. Do you know his reputation?—A. Yes, sir.

Q. What is it?—A. It is bad.

Q. Bad for what?—A. Bad for veracity.

Q. What is it for integrity?—A. It is bad.

Q. Would you believe him on oath?—A. No, sir; I would not.

Q. Do you know a man by the name of Y. J. P. Owens in your county?—A. Yes, sir.

Q. Do you know his reputation?—A. Yes, sir.

Q. What is it?—A. Bad.

Q. Bad for what?—A. Bad for veracity.

Q. Would you believe him on oath?—A. No, sir.

By Mr. CAMERON:

Q. Do you know a single republican in the county whose reputation is good?—A. Well, yes; I do.

Q. Give us the name of one whose reputation for veracity is good.—A. Rev. Daniel Gibbs. I think his reputation for veracity is good.

Q. Do you know any other?—A. Well, sir, there are a great many—I say that there are a great many of them. I do not by any means say that all republicans' reputations for veracity are bad for veracity.

Q. Give the names of those whose reputation is good for veracity in your county.—A. Well, sir, I don't know any white ones. There are

very few white republicans in the county. The majority of the colored people are republicans. Some of them I would believe on oath.

Q. Give the names of those whom you would believe.

[A long pause.]

Q. Well, if you cannot tell of any, we will not stop any longer.—A. I could if the names were mentioned, but not canvassing the whole county in that way—

Q. You cannot tell of any others now?—A. Not just at this moment.

Q. Whom have you heard speak of Prince Glenn's reputation for veracity?—A. Well, sir, I have heard a great many.

Q. Give their names.—A. Well—I cannot remember; it is the whole community.

Q. You have sworn to that; now I want to get at the particulars. Give the names of some men whom you have heard speak of it.—A. Well, sir, I don't think of any man right now who has spoken in reference to Prince Glenn.

Q. Mention the time when you heard any man speak of his reputation for veracity.—A. Well, sir, I did hear one man very recently say—within the last day; but he is the only man I can think of right now with reference to Prince Glenn—Dr. John A. Barksdale.

Q. Did he speak of it after Glenn was sworn as a witness?—A. No, sir.

Q. Was it after you knew Glenn was here as a witness?—A. It was after he was subpœnaed, and, I believe, after he was sworn.

Q. He is the only man whom you can now remember to have heard speak of Prince Glenn's reputation for veracity?—A. Yes, sir; the only one I can remember just now.

Q. And on the strength of that you say you know what his general reputation for veracity is?—A. Not on the strength of that, because I have heard his character discussed for several years.

Q. But you cannot name any one whom you have heard speak of it except Dr. Barksdale, and he spoke of it to-day?—A. Not to-day; but since he has been subpœnaed.

Q. Whom have you heard speak of Hunter's reputation for veracity?—A. Well, sir, I have heard Mr. George Young, I think.

Q. When?—A. Well, it has been several months ago, and at different times. I think I have heard Mr. Erskine Todd.

Q. Were they both white men and democrats?—A. Both white men and democrats.

Q. Who else?—A. I think I have heard Dunc. Watts.

Q. Is he a white man and democrat?—A. Yes, sir; he is a white man and democrat.

Q. When did you hear him speak of it?—A. Well, sir, it has been some time ago.

Q. Can you name any others?—A. I don't think of any others just now.

Q. Whom have you heard speak of I. W. Rice's reputation for integrity and veracity?—A. I think I have heard Mr. J. Wistar Simpson.

Q. He is a white man and democrat?—A. A white man and democrat.

Q. When did you hear him speak of it?—A. Well, sir, I heard him speak of it a few days ago—eight or ten days ago; that was since Rice testified.

Q. Whom else have you heard speak of it?—A. Well, sir; I don't think of anybody else just now.

Q. Whom have you heard speak of Ellis Thompson's reputation for veracity?—A. I heard Mr. Thomas Young.

Q. When did you hear him speak of it?—A. Well, sir, I have heard him speak of it often, at different times, a good while ago.

Q. Who else?—A. Mr. Robert Young.

Q. Who else?—A. I have heard Dr. William Wright.

Q. These are all white men and democrats?—A. All white men and democrats.

Q. Who else?—A. I think I have heard Mr. Allen Burnside.

Q. He is a white man and a democrat?—A. Yes, sir; a white man and a democrat.

Q. When did you hear him speak of it?—A. When he was at Laurens.

Q. At what particular place in Laurens?—A. I don't remember. I was talking to him at two or three different places the same time, and I don't remember whether it was on the street or up in the office.

Q. How did you happen to discuss Thompson's reputation?—A. Well, sir, we were talking about—I think we were at the time talking about these examinations down here, probably.

Q. He was not subpoenaed at that time, was he?—A. It was about the time—I don't remember whether he was subpoenaed at that time or not.

Q. Then I ask you how you happened to be discussing it?—A. We were speaking of the trials down here, and I think it was about the time that these parties went up; but I don't know whether he had been subpoenaed or not.

Q. Had you been informed that he was to be subpoenaed?—A. Yes, sir; I had been informed that he was to be subpoenaed.

Q. By whom had you been informed?—A. By Mr. Watts.

Q. How did you happen to discuss Rice's reputation for veracity?—A. Well, sir; I had been hearing that for a long time; since he has been clerk of the court, generally, at times.

Q. You have mentioned one man whom you have heard speak of Rice's reputation for veracity, and I ask you how you and he happened to be discussing it?—A. I don't remember now how it was.

Q. Where were you when you were discussing it?—A. I don't remember, sir.

Q. With whom were you discussing Rice's reputation?—A. Well, sir; there were several gentlemen in the room.

Q. You said you did not know whether it was in a room or in the street?—A. That was in regard to Ellis Thompson.

Q. What gentlemen then were in the room when you were discussing Rice's reputation?—A. I don't remember, sir.

Q. How do you remember that there were several there if you cannot tell us who they were?—A. Well; I just remember talking about him, and remember discussing his character, but I don't remember now who it was.

Q. You cannot tell when it was, nor where it was, nor who it was?—A. I don't remember now, sir.

Q. Whom have you heard speak of Young's reputation for veracity?—A. Well, sir, I don't know anybody in particular now. I have heard a good many, though.

Q. When did you hear any one speak of his reputation for veracity?—A. Well, sir, during the last four or five years—

Q. Mention one particular time?—A. I don't remember, sir.

By Mr. CHRISTIANCY:

Q. This is the village of Laurens Court-House where you reside?—A. Yes, sir.

Q. That is the neighborhood in which the reputation you refer to exists?—A. Well, sir, throughout the whole county.

Q. You know that that is his reputation, extending through the whole county, do you?—A. Yes, sir; that is it, through the whole county.

Q. You have talked with people from every township and from every part of the county about each one of these witnesses?—A. I was speaking in reference to Owens.

Q. I am speaking now in reference to the whole—taking them all together.—A. Well, sir, yes; from different sections; not from every nook and corner of the county, but from different sections of the county.

Q. As to each one of these witnesses?—A. No, sir; I did not say as to each one, but as to Owens.

Q. I am speaking of them generally. You spoke of their reputation at Laurens.—A. In reference to Rice, it is pretty general throughout the county, because he is a public officer.

Q. But as to the rest of them?—A. The rest of them are not known so well throughout the county.

Q. Then, as to the rest of them, their reputation is that which mainly exists at Laurens Court-House?—A. Not right at the court-house, but in the vicinity.

Q. What proportion of the population of Laurens Court-House is white, and what black?—A. I cannot tell you; I do not know.

Q. Can you give any estimate at all?—A. I do not think there is very much difference.

Q. How is it—do you mean as to the village?—A. Yes, sir.

Q. How is it as to the county?—A. The colored people have a majority in the county, but I don't know how much.

Q. Do you know the reputation of each one of these witnesses that you have spoken of among the colored people?—A. No, sir; no, I don't know much about their reputation among the colored people.

WILLIAM A. HAYNE—MARION COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

WILLIAM A. HAYNE (colored) recalled.

By Mr. CAMERON:

Question. Did you hear any prominent democrats make political speeches in this State during the last political campaign? If you did, state who they were, and state what the spirit of their speeches was; give the substances of their speeches so far as you are able now to remember them.—Answer. Yes, sir; I heard several at a large meeting at the Court-House; I heard General Hampton.

Q. At what place?—A. Marion Court-House.

By Mr. MERRIMON:

Q. Can you give the substance of what was said; I don't mean the details, but can you give the substance?—A. About what it was, sir. I think General Hampton's speech was moderate in tone. He counseled peace. Colonel Simpson and Colonel Youmans, an attorney and counselor of this city. I also, early in the campaign, heard a speech delivered by General W. W. Harlee, at Berry Springs, Marion County.

By Mr. CAMERON :

Q. Go on and give the substance of his speech, if you are able to do so.—A. General Harlee's speech, in my opinion, on that occasion was a very incendiary one for him. He had been up to that time a very liberal man, a particular supporter of Governor Chamberlain; he was with him a great deal. He advocated, or advised, that the Mississippi plan, as advocated by General Ferguson, be carried out. He said he had been to Columbia—I think it was at the convention that nominated delegates to the national convention, and this meeting was called soon after his return. He said that he had had a conversation with General Ferguson, and General Ferguson recommended that the "Mississippi plan" be carried into effect in South Carolina; that what the democrats in Mississippi did to overcome a majority of between fifty and sixty thousand the democrats in South Carolina could do in overcoming a majority of twenty-five or thirty thousand; that it would be a good plan to get rid of the leaders, and he referred to myself. I was present and heard the general while he was talking. He said that they were the owners of the soil—

Q. The democrats?—A. Yes, sir; that the negroes were dependent upon them, and that the time had come when they should be told that South Carolina belonged to South Carolinians and should be ruled by them; that it was time to teach the negroes a lesson.

I walked around and faced the gentleman, and he said at that time, "I don't mean that we should do them bodily injury, but if they refuse to vote with us don't employ them; let the merchants refuse to sell them any goods, and let the farmers refuse to employ one of them; starve them into subjection."

The speeches of the rest of these gentlemen who spoke at the courthouse did not amount to much; it was a tirade of abuse against almost every republican office-holder.

Q. Did you hear any speech or conversation of General Gary during the campaign? If you did, you may state the substance of it as near as you can.—A. Well, I heard a conversation between General Gary, General Hampton, and General Kershaw. I was returning from Charleston where I had been to attend the Fort Moultrie centennial. Two friends and myself were sitting in a double seat, and in the rear of us were these gentlemen and another man, a fourth man, whose name I do not know; but he was addressed by the rest of these gentlemen as "colonel."

General Gary appeared very much incensed over the speech delivered by Governor Chamberlain out there: and said to Generals Kershaw and Hampton and this other party, unknown to me, that he had submitted as long as he intended to to republican rule.

He said it in his usual profane, boisterous way: "By God, you fellows have had your way long enough. Edgefield intends this fall to have a straight-out democratic ticket, and none other will satisfy us. The idea of you fellows supporting this God damn scoundrel Chamberlain; I don't intend to submit to it, and my section of the country will not submit to it longer. We intend to go into the next State convention and nominate a straight-out democratic ticket and elect it too. If I had my way I could get out five hundred men in Edgefield County and cut the throat of Chamberlain and every damn radical in the State."

These gentleman regarded him as a very dangerous man. Gary left and went into another car, the car ahead, and General Kershaw said he was a very dangerous man; and the rest of these gentlemen agreed with him that he was a very dangerous man; not because he was revolutionary in character, but because he was too apt to expose their plans; he was imprudent.

That was a conversation that was forced upon me. I was not playing the part of an eavesdropper; but I happened to be in the car. General Gary isn't very much given to speaking in a low tone of voice; but he is usually very loud and very vehement in his expressions. I do not say that he had anything to do with the Hamburg matter, for he has never been so charged; but he is just the sort of a man in that section of the country to stir up strife which would culminate in the Hamburg matter.

Mr. MERRIMON. I insist that the witness has no right to argue this case.

By Mr. CAMERON:

Q. What has your political course heretofore been in the State? Have you been regarded as an extremely radical or as a conservative republican?—A. I have been regarded as a conservative republican; what we call an independent republican. As I stated last night, I inaugurated the opposition to Governor Chamberlain. I supported Judge Green as temporary chairman of the convention that met in the city of Charleston and that nominated Judge Green. My course as a member of the legislature was so conservative a one that I made enemies among my warm personal and political friends; so much so that I occupied no place on any of the standing committees of the house at all; for what little intelligence I possessed would have been of some service to the country, and I could have been placed in a position to gain considerable instruction. General Elliott can testify to that as the speaker of the house. My recompense has been abuse and distrust. The first evidence of it to me was the introduction in the house of representatives of a resolution requiring the governor to offer a reward of \$500 for the conviction of a man who had shot a colored man. I would have done the same if this colored man had shot a white man and fled the State. I advocated the election of Judge Shaw—a conservative, one of the best judges in the State—and did more, perhaps, toward his election than any one member of the house.

I supported every measure of reform that was ever brought up there. I was, of course, regarded as very conservative. From the treatment that I received, I came to the conclusion that it was the control of government, and not good government, that the democracy of South Carolina wanted, and I refused to support a straight-out democratic ticket; I did not think that it was safe to do so. Perhaps I would have been willing to support a straight-out democratic ticket if the democratic party had put forward such men as Governor Porter and the liberal men of the State in whom I had confidence; but I wasn't willing to support a ticket that was headed by the old Confederate element.

It has been my experience in this State that whenever the democracy had an opportunity, they invariably put forward just such men; the most ultra men in their party. I do not feel safe to support such men.

I say right here, gentlemen, that I have lived all my life in this State, and I have never witnessed such scenes and such bitterness in politics, not even in the early days of reconstruction, when there was a deal of political rancor and bitterness; I have never witnessed so much proscription and bitterness as was shown in this campaign.

Q. By the democrats toward republicans?—A. By the democracy; yes, sir. One who has never lived in South Carolina can't understand it. I do not suppose that Senator Merrimon, even though he is a southern man, can understand it; for in his State there has always been two parties and some political tolerance; but there is none here. If you differ from them you are subject to their enmity.

I think the action of the democracy has turned the State back at least ten years. If that fusion movement, commenced two years ago, had been followed up, a great deal would have been accomplished. They could have gained the confidence of the colored people, and they can only do it by showing their faith by their works; that is the only way they can do it.

Q. If there are any other facts, Mr. Hayne, you can state them.—A. And I want to say this before I retire: In that Green movement, I think the full vote of the State was brought out. I lived in Marion County, and I think it was impossible for General Hampton to receive the vote that Judge Green received, because he did not have with him the influential republicans that Green had; and, as I stated last night, on that occasion Colonel Howard, a popular candidate on the ticket, received about two hundred majority with the large colored vote that was given to the Green ticket. On this occasion, that majority has been swelled to six hundred and forty-five, with an increase of five hundred and six North Carolinians, who could not vote at that election, but who voted at this election.

Q. White men and democrats?—A. Yes, sir.

By Mr. MERRIMON:

Q. You may remember that after Governor Chamberlain came into power he manifested a disposition to administer the government fairly and honestly?—A. Yes, sir.

Q. There was a great deal said about it at the time. I ask you whether in his efforts he received the confidence and support and encouragement of the white people of the State.—A. For a time he did, sir.

By Mr. CAMERON:

Q. When did he cease to receive such encouragement and support from the white people?—A. He ceased to receive that encouragement and support as soon as the nomination of Wade Hampton was made and the Charleston Journal of Commerce was controlled by General Martin Gary.

Q. About what time was that?—A. I don't remember exactly what month. It was some time before the meeting of the republican convention.

Q. General Hampton, I think, was nominated in July.—A. Yes, sir; I suppose about two months before the republican convention. The question was argued and meetings were held all over the State, and it was discussed. The Charleston News and Courier held out until the convention nominated General Hampton. They thought it best to nominate Governor Chamberlain; that he had done well in the past, and that he would be able to carry the State. To use the language of the Charleston News and Courier: it was useless to nominate a straight out democratic ticket; that it could not be elected, except by intimidation. That was the most prominent democratic paper in the State. It said that it couldn't be carried except by intimidation; but if the democratic party, after meeting in convention, determined to nominate a straight-out democratic ticket, they would necessarily have to fall into line; but they didn't regard it as being wise, because there was a majority of twenty-five or thirty thousand to overcome in this State, and it could only be done by intimidation.

By Mr. MERRIMON:

Q. I ask whether Governor Chamberlain did not change his line of action; whether he did not accept the nomination of the republican party on a ticket with men whom he had denounced in the bitterest

terms as corrupt men.—A. I never heard him denounce any of them, sir.

Q. I ask you whether you know it is a fact that he did.—A. No, sir; I do not.

Q. Do you know whether there was great complaint, even in the republican party, of the ticket nominated by the republican nominating convention?—A. I know there was some complaint in the convention; there was considerable complaint; but I believe that complaint was more on account of the complexion of R. B. Elliott than anything else.

Q. Don't you know that there was quite a large number of very prominent republicans who refused to support that ticket, while they supported the Hayes and Wheeler ticket?—A. I only know one that was a member of that convention.

Q. Well, persons that were in that convention?—A. No, sir; not that I am aware of.

Q. To what person do you refer?—A. I refer to Senator Cochran, of Anderson. He was dissatisfied with those nominations.

Q. How about Judge Mackey?—A. O, well, I do not regard Judge Mackey as a republican, not by any means.

Q. Did he not advocate the election of Hayes and Wheeler?—A. No, sir; or he didn't vote for them, any way. We can bring the proof of two republicans and one democratic manager to that effect. He is one of the most erratic men that I ever saw in my life.

Q. He is a man of very fine ability, is he not?—A. He has peculiar talent. General Hampton will find after a while that he has got an elephant on his hands.

Q. I ask you whether quite a number of republicans did not refuse to support that ticket because—was it not alleged that Chamberlain had stultified himself in going on that ticket?—A. It was, by the democracy.

Q. Was it by any of the republicans?—A. Not that I am aware of, except by those I have mentioned.

By Mr. CAMERON:

Q. Senator Merrimon has asked you if Governor Chamberlain did not change his course of action and go on that ticket. I ask you whether you are aware that he has changed his course of action at all?—A. No, sir; I am not aware of it. If he has done so I am not aware of it.

By Mr. CHRISTIANCY:

Q. Was not the democratic ticket nominated some time before Chamberlain was nominated?—A. Yes, sir.

Q. How long before?—A. Several weeks before.

Mr. CAMERON. We will excuse you now, unless you have something further to say.

LIEUT. D. H. FLOYD—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

D. H. FLOYD sworn and examined.

By Mr. CAMERON:

Question. What is your profession?—Answer. I am second lieutenant of Company A, Eighteenth United States Infantry.

Q. Where are you now stationed?—A. At Columbia, South Carolina.

Q. How long have you been stationed in South Carolina?—A. I went

to Atlanta the 4th of June. I staid there about two months, and I won't be certain about it, but I think I went the latter part of August to Edgefield.

Q. How long did you remain at Edgefield; up to the election?—A. Yes, sir; remained there until about the 6th of November.

Q. When did you say you went to Edgefield?—A. I think it was the latter part of August; I would not be certain about that.

Q. How many troops went to Edgefield at that time?—A. There were two companies.

Q. What companies?—A. Companies A and E.

Q. Of the Eighteenth Infantry?—A. Yes, sir; of the Eighteenth Infantry.

Q. Who was in command of Company A?—A. Captain Kellogg.

Q. Who was in command of Company E?—A. Captain Kline.

Q. Now you may state anything that came under your personal observation while you were at Edgefield, or in that vicinity, in any way relating to the feeling between the two races, white and black, or in any way relating to the election. Go on and make your own statement.—A. Well, I saw that there was some feeling existing between the two races.

Q. How did that manifest itself?—A. By the actions of the whites, generally, toward the colored men. There seemed to be animosity existing. From my own observation I could see it manifest itself on the occasion of political meetings.

Q. Were you present at any political meeting in Edgefield?—A. I was not present at a meeting, but we were stationed right in town, and I could see what was going on.

Q. You may state what came under your observation at that time?—A. Well, these so-called rifle-clubs would come into town, some five or six hundred mounted men, and they would, more or less, get intoxicated, and were yelling all the time, and this created some terror; it terrified the negroes to some extent; that is, they got out of the way of it I noticed, and would not come to the meetings.

Q. You may state whether or not these so-called rifle-clubs were armed to any extent; and, if so, to what extent.—A. Yes, sir; they were at first; especially at the first meeting they were armed with pistols, six-shooters, and I saw one or two shot-guns.

Q. Were they mounted?—A. They were mounted, yes, sir.

Q. Did they, or did they not, have any sort of uniform, or red shirts, or distinguishing mark of that kind?—A. Yes, sir; they wore red shirts in the later meetings. At first they did not wear the red shirts; at the first meeting.

Q. Did you see any act of violence or hostility on the part of the negroes toward the whites?—A. No, sir; I do not believe I did.

Q. Where were you on the day of the election?—A. I was at Leesville, Lexington County.

Q. How long before the election did you go to Leesville?—A. I think I left Edgefield on the 5th or 6th.

By Mr. CHRISTIANCY:

Q. Of November?—A. Of November, yes, sir; and arrived at Leesville that evening—the evening on which I started.

By Mr. CAMERON:

Q. Now you may state anything that came under your personal observation at Leesville on the day of the election.—A. Well, sir, it was very quiet on the day of the election at Leesville.

Q. How many soldiers were there ?—A. I had twelve men from E Company of the Eighteenth Infantry.

Q. They were under your command ?—A. Yes, sir; under my command.

Q. Well, you may state anything else, lieutenant, that came under your observation since you came into the State relative to matters of which we are speaking.—A. Well, at Edgefield I might give an instance which might, perhaps, explain it generally.

Q. Very well, do so.—A. Those rifle-clubs on one occasion were going home, and they were somewhat intoxicated, especially the club from Dark Corner, and we got reports the next morning that this company—

By Mr. MERRIMON :

Q. You don't know that of your own knowledge ?—A. No, sir.

Mr. MERRIMON. State what you know of your own knowledge.

By Mr. CAMERON :

Q. You may state whether or not you saw any persons who were fired into by that Dark Corner club ?—A. No, sir; I did not see any.

Q. You understand, lieutenant, that we want you to state what came under your own personal observation ?—A. Yes, sir.

Q. If any any other matters came under your personal observation, relating to the election, you may state what they were.—A. The only instance that I know of was the time the colored people were to have a ratification meeting at Edgefield, and Senator Cain, the State senator, a colored man, and Paris Simkins—I think it was—came down and called on Major Kline, or Captain Kline, and wanted them to protect them, stating that they wished to hold a meeting that day, and that the people had threatened them; that they could not hold it.

By Mr. MERRIMON :

Q. You don't know that of your own knowledge, that they had threatened them ?—A. As well as I would know of any instance.

By Mr. CAMERON :

Q. Very well, what was done, if anything, in consequence of that application ?—A. Captain Kline had no orders on the subject at all, and he told them to go on and have their meeting. He did not tell them what he would do. They went on; and I noticed these rifle-clubs particularly in the town that day. There was no democratic meeting that I know of. It was a ratification meeting by the colored people, and they were armed and considerably intoxicated.

By Mr. CHRISTIANCY :

Q. Who were ?—A. Some of these rifle-clubs; and in going to and from my dinner I could see what was going on generally. They were going up into the building there, the court-house where this meeting was going on, and it created considerable noise in there, and the meeting was then postponed; that is as far as I know.

By Mr. CAMERON :

Q. About what number of these rifle-clubs were in town on that day, as near as you could estimate the number of men ?—A. Well, that would be hard for me to determine, because I did not see them come in.

By Mr. CHRISTIANCY :

Q. You have stated that it would be hard to determine the number, but can you give us any approximation of the number, as one, two, three, four, or five hundred ?—A. Well, I will say that there might have been three hundred altogether.

By Mr. MERRIMON:

Q. Lieutenant, you have spoken of the so-called rifle-clubs; whether they were rifle-club organizations you don't know of your own knowledge?—A. No, sir.

Q. You just used, in referring to them, the term applied to them by the republicans in Edgefield County?—A. Yes, sir.

Q. As to their organization and their purposes, you don't know anything about that of your own knowledge?—A. No, sir.

Q. You did not see any one killed on any of the occasions you have referred to?—A. Well, there was—I saw no one killed; no, sir.

By Mr. CHRISTIANCY:

Q. Did you see any dead body?

By Mr. MERRIMON:

Q. Yes, if you saw any dead body you can state that. I don't want you to state what you heard, but anything you saw yourself you can state.—A. No, sir; I saw none.

By Mr. CHRISTIANCY:

Q. As to the organization of those rifle-clubs, did they appear to be organized bodies?—A. Yes, sir.

Q. And appeared to be under the command of some persons acting as officers?—A. Under the command of a captain. That I know, because they came by our camp; they rode around the town and came by our camp, and as they would come up by our camp they would, each company, halt and give three cheers for the boys in blue; that is why I noticed they were under command.

By Mr. MERRIMON:

Q. You mean that they were moving along in columns—riding along?—A. Yes, sir.

Q. You do not mean that they were under control, like one of your companies; that they had the regular officers, captain, and lieutenant, and second lieutenant, and all that?—A. Well, I believe they had regular captains; they called them captains, and they would give the command, "Forward, march," and "Forward, right," and "Forward, left;" and so on.

By Mr. CHRISTIANCY:

Q. And they obeyed those commands?—A. Yes, sir.

Q. If there is any other circumstance, during the time you were through any portion of that country, tending to show the feeling between the whites and blacks there, you are at liberty to state it; anything within your own knowledge.—A. Well, my idea is formed generally. I have never seen any particular instance; it is just from hearsay that I got my information. I did not see any particular instance of violence, and no one killed.

WILLIAM L. BOYD—LAURENS COUNTY.

COLUMBUS, S. C., *January 3, 1877.*

WILLIAM L. BOYD, sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. I am forty-four years old.

Q. Where do you reside?—A. At Laurens Court-House.

Q. What is your business?—A. Merchant.

Q. To what political party do you belong?—A. I belong to the democratic party.

Q. State whether you had any connection with the late election in your county.—A. Yes, sir; I was a commissioner of election.

Q. What were your duties as such commissioner?—A. To canvass the returns for the county.

By Mr. CHRISTIANCY:

Q. That is a county office?—A. Yes, sir.

By Mr. MERRIMON:

Q. Where were you on the day of the election?—A. I was at Laurens Court-House.

Q. State whether you observed the manner of conducting the election; and, if so, whether it was peaceable or otherwise.—A. Well, sir, as far as my observation went, it was very peaceable—as much so as any election I ever saw.

Q. Was there a large vote polled there?—A. Yes, sir; a little larger than usual, I think.

Q. How many boxes were there at your town?—A. Four.

Q. How large is your town—what is its population?—A. I do not remember. It is a small village, though. It is the county-seat of Laurens County.

Q. Was there any special reason why you should have so many boxes in a village of that size?—A. I do not know of any good reason at all why there should be so many.

Q. State whether you were present when the returns were canvassed.—A. Yes, sir; I was present when the returns were canvassed.

Q. Did you join in the canvass?—A. Yes, sir.

Q. Who were your associate commissioners?—A. W. H. Rutherford was the only one present. Mr. Owens was commissioner, but he was not present.

Q. Why was he not present?—A. I do not know. He told me the day before that he would be present at ten o'clock on that day, but he did not do it; he went off somewhere.

Q. State whether, within your knowledge, any negroes were intimidated at that place.—A. None on that day.

Q. Or anywhere else in your county?—A. None that I know of. I never heard of any intimidation.

Q. Did any negroes vote the democratic ticket there?—A. Yes, sir.

Q. Many of them?—A. I do not exactly know. As far as I have been able to get at it, I think between five hundred and six hundred.

Q. Did you see any compulsion on the part of the democrats to make them vote their ticket?—A. No, sir, I did not; every one voted as they pleased.

By Mr. CHRISTIANCY:

Q. So far as you know?—A. Yes, sir; so far as I know.

Q. Rutherford, your colleague, has sworn before the committee, in substance, this: "Only I and Mr. Boyd, the democratic manager, acted. The managers counted the votes a second time at the village from some of the precincts. We made an aggregate of the vote, and I declined to sign it an account of fraud and intimidation; but the democrats threatened that if I threw out a box I would not come out alive, and I signed it under protest. I knew I would be killed if I did not sign it. There were some seventy-five or one hundred armed men around there." State whether that is true or not.

The WITNESS. That was the day we canvassed the returns?

Mr. MERRIMON. Yes.

A. It was as quiet a day as I ever saw in Laurens Court-House. There was not a man there armed.

Q. Did anybody threaten there?—A. No, sir; there was no threatening to my knowledge. We were together canvassing the returns, and if he was uneasy I did not even know it.

Q. He also testified, in substance, this: "We made an aggregate of the vote, and I declined to sign it on account of fraud and intimidation."—

A. When we commenced signing he signed under protest; I asked him why he did that. He said, "I don't think the managers done their duty." That is the only thing he said.

Q. Was there any democrat there who threatened him?—A. No, sir.

By Mr. CAMERON:

Q. None that you heard?—A. None that I heard.

By Mr. MERRIMON:

Q. There was none in the court-house?—A. None in the court-house. It was as pleasant and quiet as it is in this room. We were in the auditor's room in the court-house.

Q. Was there a full vote there?—A. I think it was a full vote.

Q. How did it happen to be so full at that election?—A. Well, the candidates that we had up for the different offices met with a more general approbation than ever before, and it called out the entire white vote.

Q. Before we pass from Mr. Rutherford, I will ask whether you know his general character?—A. Yes, sir; I know something about his general character.

Q. What is it for truth and honesty?—A. It is bad.

Q. Would you believe him on oath?—A. I would not.

Q. Were there any armed men around the polls on the day of the election?—A. I did not see any at all, and I was there all day.

Q. Were there any disturbances or breaches of the peace about there?—A. No, sir; the people were noisy, but not in a fighting humor, or anything of the sort.

Q. Did you see any arrests?—A. Yes, sir; I saw some arrests.

Q. Who were there as peace-officers?—A. There were some United States commissioners, I believe; Mr. Ladd was there, for one.

By Mr. CHRISTIANCY:

Q. Did you mean commissioners?—A. I meant peace-officers. There were some officers there that went there for peace-officers, and besides we had other peace-officers.

By Mr. MERRIMON:

Q. Did you take any part in the late campaign?—A. No, sir; only I went to one public meeting. I did not leave my business. That was when it was in our village; I did not go into the country to any.

Q. State whether you intimidated or threatened any colored man to induce him to vote the democratic ticket.—A. I did not.

Q. State whether anybody else did it, within your knowledge.—A. None within my knowledge. As far as my observation went, the democrats persuaded them to do it.

Q. Why were the democrats anxious to have a division of time in the canvass with the republican speakers?—A. That is the way I under-

stood it; that was the reason: that we might be able to get the colored men to hear our side.

Q. The white people wanted to reach the negroes?—A. By argument; yes, sir.

Q. Was there any doubt or difficulty about the white vote?—A. No, sir; not a bit.

Q. Do you know a negro man named Rice, who is clerk of the court in your county?—A. Yes sir.

Q. Do you know his general character?—A. Yes, sir.

Q. What is it for truth and honesty?—A. Well, it is bad.

Q. Do you know any other fact about this election up there tending to show intimidation or disturbance of the quiet and peace of the colored men?—A. No, sir; I do not know anything else.

By Mr. CAMERON:

Q. How many colored men were killed in your county during the last political campaign?—A. Two are all I remember of; somewhere in the upper part of the county.

Q. How many were taken out and whipped?—A. None that I ever heard of; not a single one.

Q. You stated that the white people were very persuasive toward the colored men; how did they persuade them?—A. Well, by their political speeches, and persuaded them to go with us in a persuasive way. That is, we persuaded them to vote the democratic ticket if they would do it willingly.

Q. Did the whites use this sort of persuasive argument to the colored men? "If you vote the radical ticket at this election I will not employ you next year, or I will not let you work any of my land next year." Did they use any argument of that kind toward them?—A. I never heard that sort of an argument.

Q. You never heard that that sort of argument was used?—A. I heard some say that if they elected the other side that they could not employ and pay for as many—they could not employ as many for the next year.

Q. That is the mild way you heard it put?—A. That is the way I heard it.

Q. Whom did you hear state that?—A. I do not now remember any one name. I never heard very much of that sort.

Q. I asked who you heard make that statement?—A. I never heard any public speaker make it. I do not remember now who. I cannot give any name.

Q. Did you hear that statement, or a similar statement, made more than once?—A. No, sir; I do not remember that I did.

Q. Just one time?—A. I think so.

Q. When were the four boxes of which you have spoken established in your town?—A. I do not remember. It was done by an act of the legislature. I think it was the same way at the election two years before the last one. I do not remember when the act was passed.

Q. Whom have you heard speak of Rice's reputation for truth?—A. I do not remember any one just now.

Q. When did you hear any one speak of it?—A. Not very lately. I have not heard anybody lately say anything about it much.

Q. Can you give the name of any person whom you have heard speak of Rice's reputation for truth?—A. I do not believe I can.

Q. Whom have you heard speak of Rutherford's reputation for truth?—A. I do not remember anybody.

Q. You have sworn that you knew what the reputation of each of these gentlemen was for truth, and now you swear that you do not remember that you ever heard any one speak of it. How can you reconcile those two statements?—A. Well, I am speaking of general reputation.

Q. The general reputation is made up of particulars, and I am trying now to get at the particulars.—A. I do not remember any now, sir.

Q. I state again: You have stated that you knew the reputation for truth and veracity of each of these men, Rutherford and Rice, and now you swear that you do not remember of hearing any person speak of the reputation of either of them for truth and veracity; how can you reconcile those two statements?—A. Well, I might mention somebody's name; but I do not remember now any particular name. I do not believe I can.

Q. On what day did you canvass the county returns?—A. The election was on the 7th, the managers brought in the boxes on the 8th, and we canvassed on the 9th.

Q. At what place did you canvass those returns?—A. At Laurens Court-House.

Q. In what room?—A. In the county auditor's office.

Q. Who were present when you canvassed the votes?—A. Myself and Mr. Rutherford, the other commissioner, and Mr. Watts, our clerk, and a part of the time a colored man by the name of Dunlap; the other three were there all the time.

Q. Which Watts was your clerk?—A. Augustus Watts; I think it is.

Q. Is he a white man?—A. Yes, sir.

Q. And a democrat?—A. Yes, sir.

Q. What time in the day did you canvass those returns?—A. I think we got through—perhaps it was three o'clock in the afternoon, or about that time; it might have been later; it was somewhere about that time.

Q. Which signed the certificate first, you or Rutherford?—A. I think he signed the returns first, according to my remembrance now.

Q. Do you remember whether your name is placed under or above his?—A. I think it is above in some and below in some, if I remember right.

Q. You think some of the names are above and some below?—A. I think in one my name is above, and below in another; I am not clear.

Q. Are you clear that he signed the returns first?—A. I am clear that he signed part of them first.

Q. What do you mean by part of them?—A. Well, I do not know. I do not remember now how it was exactly, but I think I signed one; he was signing one over there and I was signing here; we swapped papers—somehow that way.

Q. You signed duplicates, did you?—A. Well, we had four papers.

Q. You say that Rutherford did sign under protest?—A. Yes, sir; he said, "I hereby sign by protest."

Q. You have stated the explanation he gave to you for signing in that way.—A. That is what he said. I asked him why he signed under protest, and he said he did not think the managers done right. That is all the question I asked him.

By Mr. CHRISTIANCY:

Q. Do you remember about the number of votes that were cast at Laurens Court-House at the four polling-places?—A. I ought to know that, but my impression is now that it was a little over 2,000.

Q. Now I want to know what proportion of the whole vote of the county was voted at those four polling-places. Was it one-half of the county vote, or more than half?—A. Well, I think the entire vote of the county was about 4,700, and according to my memory it would be a little over 2,000 votes cast, I think.

Q. You think it was not quite half?—A. It was not quite half, I think.

Q. Are you confident about that?—A. I feel pretty certain about it, but I have forgotten; I ought to have known the figures, but that is according to my recollection.

Q. How many polling-places were there in the entire county?—A. Eight in the entire county.

Q. And there were four at the village?—A. Yes, sir.

Q. Then the number of votes cast at this place was about equal to the votes cast in the county outside of that place, was it not?

The WITNESS. You mean in the territory, don't you?

Q. The number of votes polled at Laurens Court-House at the polling-places was about equal to one-half of the entire county, or pretty nearly equal, was it not?

The WITNESS. Do you mean the territory for them to vote?

Mr. CHRISTIANCY. No. I mean the number of votes.

A. I think the votes.—

By Mr. MERRIMON:

Q. He asked you if half of the votes of the county were at your precinct.—A. No, sir.

By Mr. CHRISTIANCY:

Q. Was it nearly half?—A. Yes, sir; it was nearly half. No, sir; it was not half.

Q. You are sure that it was not half?—A. No, sir; it was not half.

Q. You are sure of that?—A. I do not think so; I cannot say that I am sure.

Q. Do you not feel confident?—A. Yes, sir; I feel confident.

Q. How much less than half do you feel confident it was?—A. Well, it must have been a difference of probably 500 votes.

Q. Do you know Mr. Richard C. Watts?—A. Yes, sir; I know him.

Q. Mr. Watts states that there was considerably over half of the vote of the county polled in those four precincts. Now, I want you to review in your own mind this matter, for the purpose of being accurate, if you can.—A. According to my recollection, I do not think there was over one-half of the votes cast there.

Q. It came pretty near a half in your estimation, did it not?—A. No, sir; it was not quite half.

Q. It came pretty near half, though, did it not?—A. Yes, sir; it came pretty near half.

Q. You have said that you estimated that there were between five and six hundred blacks voted the democratic ticket; where was that—in the county or in the village?—A. I meant in the entire county.

Q. Do you know anything about that yourself, personally—how they voted anywhere except at your own polls?—A. I know some that voted that way; and a great many voted that way.

Q. Do you pretend to know how many blacks there were that voted the democratic ticket in the entire county?—A. Well, I do not know it personally, nor by my own observation.

Q. You give that, then, as your opinion?—A. That is my opinion.

Q. Were you at any particular poll?—A. I was about there all day. I was not at any particular poll.

Q. You were not one of the managers?—A. No, sir; I was not one of the managers.

Q. You were not at any of the polls out of the village?—A. Well, they were not far apart.

Q. I am speaking of the polls out of the village?—A. Yes, sir; there were four places out of the village, in the country.

Q. Yes; but I am asking you if you were at any of the polls that were out of the village?—A. No, sir; I was not. I did not understand you.

By Mr. MERRIMON:

Q. How far are these polling-places in the town apart?—A. They are within a hundred yards of each other, I think.

T. B. CREWS—LAURENS COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

T. B. CREWS sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. Forty-four years old.

Q. Where do you reside?—A. At Laurens Court-House.

Q. What is your occupation?—A. I am a printer, and am one of the editors of the Laurensville Herald.

Q. With what political party do you affiliate?—A. The democratic or conservative party.

Q. State whether you took any part in the late election in your county, and, if you say yes, give the committee to understand how the canvass was conducted there—whether peaceably, forcibly, or otherwise.—A. Yes, sir; I took a part in it. I went to nearly all the public meetings held in the county. As to the conduct of the canvass, it was peaceable. I saw no violence at all, no quarreling; not a single difficulty.

Q. Were you familiar with the movements of the democratic party in that county?—A. Yes, sir.

Q. So far as your own connection with the canvass went, state whether you sought to induce the colored people to vote the democratic ticket by force, threats, or intimidation of any sort.—A. No, sir; we tried—

Q. I am asking you now about yourself particularly.—A. I tried to prevail on them, and talked to them and reasoned with them to get them to vote by reasoning with them, but I never thought about using violence or intimidation of any sort. I have advocated peace in my paper all the time; I wrote several articles advising the people to be quiet and peaceable, and I deprecated anything like intimidation or threats of any sort.

Q. State whether the party as an organization, or anybody else within your knowledge, sought to induce them to vote the democratic ticket by force, or violence, or threats of any sort.—A. I know of nothing of the sort.

Q. And if there had been any party movement of that sort would you be likely to have known it?—A. I think I would.

Q. You are familiar with the working of the democratic party in that county?—A. Yes, sir; I think I am. I can safely say that I am conversant with all the movements during the whole campaign.

Q. What was the tone of your paper, sir?—A. Peaceable and orderly; we advocated that.

Q. Was there any special reason why you did that?—A. There was considerable feeling in the campaign on both sides, and both sides were anxious and working hard, and we were apprehensive that the interest felt might lead to some disturbance.

Q. Were you apprehensive that disturbances would redound to the injury of the democratic party?—A. Yes, sir; peace was what we wanted, and I was fearful that something of the kind might occur that would injure our prospects. We wanted no pretext or excuse given for any protest after the election; we wanted the campaign to be conducted orderly and peaceably and without any threats.

Q. State whether any colored people voted the democratic ticket, and, if you say yes, what number within your knowledge, and the means you had of knowing how many did vote it.—A. There was a considerable number, between 500 and 600 voted the democratic ticket. The precise number I could not say, but it was between 500 and 600.

Q. Where were you the day of the election?—A. At Laurens Court-House.

Q. State whether there were any armed bodies of men there on that day?—A. None, sir.

Q. Was there any firing or shooting about there?—A. None, sir, that I heard, and I was there all day.

Q. Could you have heard it or seen it if it had happened?—A. Yes, sir.

Q. How many boxes are there at your town?—A. Four.

Q. How large is your town?—A. It is a small country village.

Q. What is the probable population?—A. Six or eight hundred.

Q. Why do you have four boxes at your place?—A. Well, we do not know why that is.

Q. State whether you were up all night the night before the election, and, if so, why you were up.—A. Well, I was up most of the night. There was a very large crowd of colored people in the town.

Q. When did they come there?—A. They commenced coming in about ten o'clock on Monday, and they came all day, in little squads of from fifteen to sixty; there was one squad of ninety. There were a good many colored people in town, and toward twelve o'clock the white people commenced coming in.

Q. Twelve o'clock on Monday?—A. On Monday night before the election.

Q. Twelve, between Monday night and Tuesday morning?—A. Yes, sir; I did not feel like sleeping; there was a good deal of cheering and some little noise; there was no firing, but still I did not feel like sleeping, and I remained up most of the night. I went home, I suppose, a little before day—about an hour.

Q. Who took possession of the court-house?—A. The negroes went in there about dark. They went in and out. It was raining a little, and they went in about dark.

Q. Tell us where those four polling-places were fixed.—A. There were two in the court-house, one at the auditor's office, and one in the school-commissioner's office in the court-house. There was another about fifty yards from there, on the western side of the court-house, and another in a small building that had formerly been used as a photograph gallery, about thirty yards east of the court-house.

Q. How did the vote begin? State whether there was a great rush

at the ballot-box as soon as they were opened at the various points.—
A. There was a general rush, sir.

Q. Did you see any violence at any of the boxes during the day?—

A. I did not.

Q. A man by the name of Isaac Jordan has testified that he was at Laurens box the night before the election; that there were rifle-clubs there; that they paraded around and shot and threw rocks at the court-house; did you see or hear anything of that sort?—A. No, sir; I do not believe it. It is not true.

Q. Do not state what you believe; state whether you had an opportunity of seeing.—A. I had an opportunity, and no such thing occurred. I was up and round about the court-house all night until about an hour before day.

Q. The same witness says about three or four hundred colored people went off without voting, for fear of being killed or turned out of doors, and he says they ran about twenty or more off. Did you see anything of the kind?—A. That is not true.

Q. State whether you had an opportunity of seeing it if it had occurred.—A. I was right there. I had an opportunity, and I saw nothing of the sort.

By Mr. CHRISTIANCY:

Q. You were right there all the time, were you?—A. I was right there all the time after the polls opened, with the exception—I was around the boxes and I went through the crowd.

By Mr. MERRIMON:

Q. Do you know Isaac Jordan?—A. No, sir; I do not know him. I never saw him that I know of.

Q. Were there armed men about the polls?—A. No, sir.

Q. State whether you had any conversation with a deputy United States marshal that day; and, if you say yes, state anything that he may have said about making arrests of persons while attending the election.—A. I had a conversation with Deputy United States Marshal Canton about ten days before the election. He told me that he was going to Laurens Court-House. He was then on his road to Laurens, and he told me that he had a number of warrants, and intimated that they would be arrested before the election, or about that time. He had one hundred warrants for people at Laurens Court-House and in Laurens County.

Q. Warrants for what?—A. Well, he did not say what. I did not ask him and he did not state what the warrants were for. They were United States warrants; I do not know what the charges were. I did not ask him and he did not state.

Q. Do you know a negro man named Rice, your county clerk?—A. Yes, sir.

Q. Do you know his general character?—A. I do.

Q. What is it for veracity?—A. It is bad.

Q. Would you believe him on oath?—A. I would not.

Q. Do you know another colored man in your county named Raphael Stewart?—A. Yes, sir.

Q. You know his general reputation?—A. Yes, sir.

Q. What is it for truth and honesty?—A. It is not good; it is bad.

Q. Would you believe him on oath?—A. I would not.

Q. Do you know a man named W. H. Rutherford?—A. Yes, sir.

Q. Do you know his general reputation?—A. Yes, sir.

Q. What is it for truth and honesty?—A. It is bad.

Q. Would you believe him on oath?—A. I would not.

Q. State whether you had a conversation with a man by the name of Patterson, and if you say yes, state what that was about.—A. I had a conversation with Patterson last Thursday.

Q. Was he a candidate in your county?—A. Yes, sir; he is the present chairman of the board of county commissioners, and was at the last election.

Q. What did he say about the election?—A. We were talking about the election, and I inquired of him how it had passed off.

Q. Do you know of any other fact that would be interesting to this committee within the sphere of the examination I have given you?—A. Well, I do not know of anything else, I believe.

By Mr. CAMERON:

Q. How many colored men were killed in Laurens County during the last political campaign there?—A. I do not know, sir, of my own knowledge that there were any killed. I heard of the killing of two, I think.

Q. How many were taken out of their houses by the rifle-clubs and whipped?—A. None to my knowledge.

Q. Were you a member of a rifle-club?—A. No, sir.

Q. Were you a member of a democratic club?—A. I was.

Q. Do you know of any rifle-clubs having been in existence in your county during the last political canvass?—A. There were none.

Q. I asked you if you knew that there were any. Do you know whether there were or were not?—A. I do; there was not a single rifle-club in the county.

Q. Were there any saber-clubs?—A. No, sir.

Q. Were there any democratic clubs armed?—A. Well, Senator, men wear their pistols—some few of them. It is the custom of the country, but they were not armed in any other way. There was no regular system of arming. Men had their pistols—side-arms. Occasionally I would see a man with a pistol on him, but it was not a general thing at all, and they did not attempt to be armed.

Q. Were you armed yourself on the day of the election?—A. No, sir; I did not have an arm at all, nothing more than my pocket-knife; I had that; I am not in the habit of carrying arms.

Q. Did you in your newspaper, pending the election, use an argument like this to induce republicans to vote the democratic ticket; that is to say, that if they voted the radical ticket, democrats ought not to employ them, or that they ought to give the preference to democratic negroes?—A. I think I used something like the latter, that we might give preference; but we argued against proscription, not to proscribe, but to give the preference.

Q. Not to proscribe, but give the preference to those who voted the democratic ticket?—A. Yes, sir.

Q. That is what you argued and recommended?—A. Yes, sir; that is the substance of it, I think.

Q. Did you recommend in your paper that republicans who were carrying on business, if there were any such in the county, should not be patronized by the democrats, but that the democrats should give preference to the democratic traders?—A. No, sir; I used no such argument. I was not so partisan as that.

Q. Then, on the whole, you consider your paper a very mild paper, do you not?—A. We considered it a conservative paper, sir. We went for our side. We wanted everybody to turn out and vote the democratic

ticket, and I persuaded all the colored people I could to vote that ticket. But as far as threats are concerned, we made none, and we advocated peace all the time.

Q. What necessity was there for you to so persistently advocate peace?—A. There was considerable excitement over the State generally, and not only over this State, but it was the presidential and general State election, and we supposed that our advice might do some good in allaying the excitement.

Q. Were there any persons threatening war or disturbance in that county?—A. No, sir; it was not on that account. I heard of no threats.

Q. Yet you persistently advocated peace and there was no one threatening?—A. No, sir. Well, there was a good deal of feeling existing on both sides.

Q. But no one was threatening any violent measures?—A. No, sir.

Q. And yet you persistently advocated peace?—A. Yes, sir; I endeavored to keep it uppermost in their minds to be quiet and peaceable, and the speakers generally did that on both sides; both parties advocated it so far as I know. I did not attend, and did not hear but one speech myself on the republican side.

Q. Whom have you heard speak of Rutherford's reputation for truth?—A. I cannot call to mind any one now.

Q. Whom have you heard speak of Stewart's reputation for truth?—A. I do not remember as to either one of the three—any particular person; but that is their general character.

Q. Yes; you have sworn to that; now I want the particulars. Who has spoken of their reputation for truth? If you can give the name of any one person, do so.—A. I do not remember any person now.

Q. You say that Deputy Marshal Canton told you some ten days or two weeks before the election that he had a hundred warrants?—A. I think he said about a hundred; I will say a hundred; yes.

Q. He did not tell you what the warrants were for?—A. He said to make arrests.

Q. What particular offense was charged?—A. He did not say anything about that.

Q. Did he tell you whom he wanted to arrest?—A. No, sir; he did not say who.

Q. Were any arrests made in the county?—A. No, sir; none were made.

Q. Did you publish that conversation in your paper?—A. No, sir; I did not.

Q. Did you state it to any one?—A. Yes, sir.

Q. But no arrests were made?—A. No arrests were made; when they went up there they supposed they would be arrested.

Q. I am not talking about what was supposed; I am asking after the facts.—A. I traveled with him up from Newberry, and happened to be there when he came up.

H. S. THOMPSON—RICHLAND COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

H. S. THOMPSON sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Forty, sir.

Q. Where do you reside?—A. In Columbia, sir.

Q. What is your business?—A. I am principal of the male academy.

Q. With what political party do you affiliate?—A. Democratic party.

Q. State whether you had any connection with a rifle-club, so called, in the city of Columbia; and if you say yes, give us some account of its organization and its purpose, principles, and, particularly, whether Governor Chamberlain was a member of that company, or had anything to do with it.—A. I was the president of the first rifle club there was in this State outside of Charleston. That club was formed in July, 1874. Moses was then governor. He armed us, or, that is, he gave us forty-five of the Remington pattern of rifles; and Chamberlain was at that time attorney-general. I appointed a committee to go around among the citizens here to get subscriptions to assist us in equipping the company, and I know the report of that committee as to what Chamberlain did; I cannot say of my own knowledge.

By Mr. CAMERON:

Q. You need not state what the report was.—A. I was not on the committee, and, therefore, I can only say what the report was.

By Mr. MERRIMON:

Q. What was the character of this organization; what was the purpose of it?—A. It was intended simply for social purposes; and we wanted to organize as a military company, and according to the law. But we found that if we went into the militia as a regular militia company, we would be commanded by negro officers, and we objected to that.

Q. Did you have any political purpose in this organization?—A. None in the world.

Q. It was a voluntary organization?—A. Entirely. We were armed by the governor, and the only service we did was, in obedience to the request of Governor Moses, to prepare to suppress a riot that was expected would take place between the negro factions headed by Minort and Nash.

Q. When was that?—A. I could not fix the date; it was in September; about September, 1874.

Q. When was the company organized?—A. In July, 1874.

Q. Are you familiar with those rifle-club organizations that we have heard about in this State?—A. I think I know a great deal about them.

Q. State whether there was any political purpose in their organization.—A. None, as far as I know; and, if I am allowed to state this fact, I was senior officer of the rifle-clubs in Columbia, and commanded a battalion on the 28th of June at Charleston, and on the evening of the 29th we were drawn up in front of the Charleston Hotel, and some prominent citizens said that they had just received the news of the nomination of Tilden and Hendricks, and it was proposed that the clubs should give three cheers for the nominees; but it was decided not to do so on the ground that we were not a political organization, and that we would not cheer, although we were all democrats. I can't say we were all democrats, as I believe some members of my club were republicans, but the majority of us were democrats, and we declined to give the cheers, as requested by some of the citizens.

Q. Do you know how many rifle-clubs there are in the State?—A. I think about seventy-five organizations, or rather re-organizations of old companies that existed before the war. I should think seventy-five would be a liberal estimate.

Q. Did you take any part in the late campaign?—A. I was candidate for superintendent of education on the democratic ticket.

Q. Did you canvass any during the campaign?—A. Yes, sir.

Q. What was the spirit of it toward the colored people?—A. There were allusions made to Governor Chamberlain as to his conduct—

Mr. CHRISTIANCY. We have decided not to go into the merits or demerits of the State government here.

By Mr. MERRIMON:

Q. I wish to learn whether the policy of the democratic party of the State was peaceful or otherwise, and whether there was any purpose or any intent to intimidate colored people, and compel them to vote the democratic ticket?—A. There was not, as far as I know.

Q. How did you happen to know of the policy of the party?—A. I had free access to the executive committee of the democratic party, and was present at their private consultations, at many of them, if not at all of them, when I was in Columbia, and I had free intercourse with General Hampton during the canvass. I have known him a long time, and he spoke very freely to me.

Q. I will ask you whether you know of any violence or threats of violence to induce colored men to vote the democratic ticket?—A. I know of no threats of violence or violence to the colored men to induce them to vote the democratic ticket.

Q. Knowing the principles and policy of the democratic party in this campaign, is it within your knowledge that anybody else ever did?—A. No, sir.

By Mr. CAMERON:

Q. How long have you resided in this State?—A. I was born here.

Q. Were you engaged in the late civil war?—A. Yes, sir; I was professor of the military academy in Charleston, and we were accepted by the war department as part of the military force of the Confederate States. I was in service in that capacity commanding a battalion of cadets.

Q. Was there any public-school system in this State prior to the war?—A. Yes, sir; there was.

Q. A system of common schools existed in the State?—A. I could not answer fully as to that. I was very young when I graduated and went to the military academy, and I never engaged in politics; I couldn't say much about that. I remember distinctly that when I was admitted to the military academy I was examined before the commissioners of free schools.

Q. When was that?—A. That was in 1852; I entered in 1853.

Q. Then you swear that there was a general system of common or free schools in the State prior to that time, or at that time, do you?—A. I cannot say how general it was. I swear that I was examined before a committee of gentlemen that they told me were commissioners of free schools.

Q. Is that all you know about it?—A. No, sir; it is not all I know; but my knowledge upon the subject—I looked somewhat into the matter as to the amount of money that was spent for free schools before the war, but I have not looked into the law, and I do not know how general it was. It hasn't come into my way to do it, sir; I wasn't connected with them in any way.

Q. Did not the law merely apply to cities and large towns?—A. It did not, because I came from the county of Greenville, and lived in that

county, and know the fact. I remember this fact, that during my career as cadet I was disabled by an accident to my foot, and I taught school there during a furlough of six months, and I had some pupils that were paid for out of the public funds, and I was quite young, (seventeen years of age,) and I don't remember now who paid me; but I know I had some public scholars, and I know that the parties expected me to deduct for every day that the children were absent.

J. L. McCracken—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

J. L. McCracken sworn and examined.

By Mr. MERRIMON:

Question. State your age.—Answer. Twenty-four.

Q. State your place of residence.—A. Abbeville County.

Q. What is your business?—A. Farming.

Q. To what political party do you belong?—A. The democratic.

Q. State whether you were at Calhoun's Mills, in your county, on the day of the election.—A. I was.

Q. What time were you there in the morning, if you were there in the morning?—A. I got there about eleven o'clock the night before.

Q. Were you there when the polls were opened in the morning?—A. Yes, sir.

Q. How many white men were there at that time?—A. About thirty, I think.

Q. How many negroes were there?—A. About three hundred; one hundred and thirty came up in one squad, and another squad, about the same size, came from another direction.

Q. Which side crowded the polls first, the whites or blacks?—A. The whites had the polls when they opened.

Q. How long did they vote?—A. I think it was about ten or fifteen minutes; that was before the colored vote was polled, and then the colored people crowded in and crowded the whites out and then began voting themselves.

Q. How long did they vote that way?—A. Until about twelve o'clock, steadily on; that is, they voted on until twelve, but everything was perfectly quiet.

Q. Which was the largest crowd in the morning, the whites or blacks?—A. The blacks.

Q. State whether there was any disturbance there in the forepart of the day.—A. There was none until about 12 o'clock; I think that was the time.

Q. What happened then?—A. There was a little difficulty between Heard and some white man. It was a matter outside the polls entirely.

Q. Were you present when they were quarreling?—A. No, sir; I was not when they were quarreling. I did not hear that, if there was any quarreling at all.

Q. Had the difficulty between Heard and the white man you speak of anything to do with the election?—A. Nothing at all.

Q. Did they fight?—A. Heard was struck with a rock. I did not know either one of the parties.

Q. They had a fight about some matter between themselves person-

ally?—A. Yes, sir; an old grudge between them, I think, but what it was I do not know.

Q. Did they stop the voting?—A. No, sir; only for a minute, perhaps, and the row was all over in a few minutes, and the voting went on as before. The supervisor called out not to notice them. In a minute or two it was all over.

Q. What part of the vote had probably been put in at that time? Had the bulk of the vote gone in at that time?—A. Yes, sir.

Q. At what time did the voting of the crowd cease?—A. About one o'clock.

Q. Were there any armed men about the box at any time during the day?—A. Not unless you would call the negroes armed when they had clubs and pistols, as some had; and some few white men had pistols.

Q. Did they brandish them about the box?—A. No, sir; I saw nothing of it.

Q. Was anybody prevented from voting?—A. No, sir; every one voted who had a right to vote.

Q. How long were the polls kept open?—A. Until six o'clock.

Q. State whether you observed anybody manifest violence or a spirit of intimidation toward the colored people, or toward any voters at all, whether white or black.—A. No, sir; I heard nothing of the kind.

Q. Do you know whether Henry Heard voted there?—A. He did. He voted after twelve o'clock. I saw him vote.

Q. Do you know whether a man named Albert Sutton voted there?—A. He was the first man that voted the republican ticket. He pushed through the white men and voted the radical ticket, and said, "If any white man don't like it, here I am." I think that was the first radical ticket polled.

Q. He voted the republican ticket.—A. Yes, sir; so he said.

Q. Do you know whether Albert Sutton shot any white man there that day, or about there? and if you say yes, say who it was.—A. Well, it is the opinion of the neighborhood—

Q. You cannot give the opinion. Do you know the fact?—A. I did not see it.

Q. Have you any statement in your possession of the election in your county?—A. Yes, sir.

Q. What does it purport to be, and what is it?—A. Well, sir, it gives the vote for 1872, 1874, and 1876.

Q. Are you sure that it is correct?—A. It was taken from a tabular statement as published in the county papers at the time of the elections, and the statement was furnished to the papers by the managers.

By Mr. CAMERON :

Q. You do not know, of your own knowledge, whether that is correct or not?—A. I compared it with the statements as published in the papers.

Q. But you do not know, of your knowledge, whether those published statements were correct or not?—A. No, I do not know; they were made by the managers to the papers.

By Mr. MERRIMON :

Q. Do you know what the vote was at the late election?—A. The entire vote of the county was 7,548 in 1876.

Q. Do you know what it was in 1874?—A. In 1874 it was 6,755.

By Mr. CHRISTIANCY :

Q. You do not know that?—A. That is the published statement.

By Mr. MERRIMON:

Q. Do you know Henry Heard?—A. I am not personally acquainted with him; I know him when I see him.

Q. Do you know what the people generally say of him through that section of the country where he lives?—A. He has the name of being a bad man.

Q. The question is, do you know what the people generally say of him through that section? Have you heard many persons speak of his character?—A. Yes, sir; they say he is a mean man.

Q. What is his character for honesty and truth?—A. From what I hear it is as bad as it could be.

Q. If the people generally say that, that is what I want.—A. That is what I mean; they generally say that.

Q. Is he a man of bad character for truth?—A. Well, he is an immoral man; he is a school-teacher, and the more respectable people in the community will not send their daughters to school to him.

Q. Do you know any other fact in connection with the election at Calhoun's Mills which you have not stated?—A. No, sir.

Q. Did you take any part in the campaign?—A. No, sir; I was a member of the democratic club.

Q. Where?—A. At Calhoun's Mills.

Q. Was it a large club?—A. It had about seventy-five members, I think.

Q. Do you know whether many colored men voted the democratic ticket?—A. I think they did; I do not know the number.

Q. I will ask you whether you used any threats or violence to induce colored men to vote the democratic ticket?—A. No, sir.

Q. Is it within your knowledge that anybody else did?—A. No, sir; it is not. I never heard of anybody else doing so. They tried to persuade them; they used persuasion, but no threats.

Q. Was there any violence outside of this row between Heard and those white men about the polls during the day of the election at Calhoun's Mills?—A. No, sir; not that I know of.

Q. Were you there all day?—A. Yes, sir; there was a young man shot about half a mile from the polls.

Q. Do you know that of your own knowledge?—A. I did not see it.

By Mr. CHRISTIANCY:

Q. At the time of the difficulty between Heard and some other man whose name you have not given, were you near enough to know what they were saying to each other?—A. No, sir; I heard this man say—

Q. Heard what man?—A. I do not know what man he was; he was a stranger to me. He said that he had whipped Heard once in Georgia for something, and he could whip him again; I only heard part of the talk.

Q. Did you hear what Mr. Heard said to him?—A. No, sir; I was not near enough to him.

Q. Then you do not know whether the trouble between them was political or not?—A. No, sir.

By Mr. CAMERON:

Q. Whom have you heard speak of Heard's reputation for truth?—A. Well, sir, I do not know of any one in particular. I do not remember of hearing any one say so; it is just the opinion of the community.

Q. I suppose you base that opinion upon what somebody said about it?—A. Yes, sir; but I do not know of anybody in particular that I could speak of.

Q. Give the name of any person whom you have heard speak of his reputation for truth.—A. There is Caldwell.

Q. What did he say about it?—A. He said he would not believe him on oath.

Q. When did he say that?—A. He told me that last Saturday evening.

Q. Had you been informed before that time that Heard had testified before this committee?—A. Yes, sir.

Q. Had Caldwell been informed of it?—A. I suppose so.

Q. Were you speaking about what he had testified to before this committee; were you informed in regard to that?—A. I do not remember.

Q. O, yes; you remember, do you not?—A. No, sir; I mean I do not remember what we were speaking of.

Q. How did you happen to commence speaking about his reputation for truth?—A. I do not know what it was. I just merely remember hearing Mr. Caldwell—

Q. Have you heard anybody else speak of his character for truth?—A. No one that I know of particularly.

Q. You heard one man last Saturday night speak of it, and on the strength of that you swear you know what his reputation for truth is?—A. I mean in the community; I mean the opinion of the community. That is what I believe to be the opinion of the community.

Q. I want to find out why you believe that is the opinion of the community.—A. Well, sir, it must be from hearsay and nothing else.

Q. Caldwell is the only one whose name you can now give whom you have heard speak of it?—A. Yes, sir.

Q. Is he a white man?—A. A white man.

Q. Is he a democrat?—A. Yes, sir.

Q. Have you heard any colored people speak of Heard's reputation for truth?—A. There is one here now that will speak of it this evening.

Q. Have you ever heard any colored men speak of his reputation for truth?—A. Not that I know of.

Q. You have heard one man speak of his reputation for truth, and on the strength of that you swear positively that you know what his reputation for truth is?—A. No, sir; I do not swear positively that I know.

Q. How do you know that a colored man will swear to it this evening?—A. He says he will do it.

Q. You have been talking with him about it, have you?—A. I heard him speak of it.

Q. When did you hear him speak of it?—A. I do not know, sir, when it was.

Q. You do not know when it was?—A. No, sir; I do not remember.

Q. Was it to-day?—A. I do not remember whether it was to-day or when it was.

By Mr. CHRISTIANCY :

Q. How, then, do you know that he is going to swear to it this evening?—A. I do not know that he will swear to it.

Mr. CAMERON. You just stated that he would swear to it.

The WITNESS. Did I say he would swear to it?

Mr. CAMERON. Yes; you did.

The WITNESS. That is not what I meant to say.

Q. What did you mean to say?—A. I meant that he said—if you did not misunderstand me—that he said he would swear to it.

Q. When did he tell you that he would swear to it?—A. I do not remember, sir.

Q. Was it to-day or yesterday?—A. I do not know, sir. I do not know when he said so.

Q. You cannot tell whether it was to-day or yesterday that he said so?—A. No, sir; I think, though, that I heard him say that. I do not say this upon oath.

Q. O, yes; you do say it upon oath, because you are on oath now, and I am examining you. Whatever you say you say upon oath.—A. When I say “I think,” do you take that as on oath? Is everything I say to be understood as given under an oath?

Mr. CAMERON. Of course, everything you say here is under oath.

The WITNESS. When I say that I mean to swear to it, then it is under oath.

Mr. CHRISTIANCY. You are sworn, and all you say here is under oath.

By Mr. CAMERON:

Q. When were you requested to come here as a witness?—A. Last Friday.

Q. Who requested you to come?—A. Mr. Parker and Colonel Cothran.

REDMON GIBERT—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

REDMON GIBERT (colored) sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. On the 10th of last June I was sixty, and I am now going on sixty-one.

Q. Where do you live?—A. I live the other side of Mount Carmel, in the Abbeville district, near Savannah River.

Q. What do you do?—A. Farming.

Q. How did you vote at the late election in this State?—A. I voted the day of election a democrat ticket.

Q. Did anybody force you to vote that way?—A. No, sir.

Q. You voted of your own free will?—A. Of my own free will, and that's the reason why I done it. I was asked to do it, but I didn't tell any one I would do it. I used to live in Tennessee, Shelby County, and I lived there six years under democrat law, and I never had no taxes to pay, because I wasn't worth a thousand dollars, and I have been here four years back in this State since I come here, and I have got to pay taxes on this old blanket that I have got around me, and my coat and everything I have got; and I am actually tired of this sort of taxation business, because it has been getting worse ever since I have been here, and it was my own expression, my own mind, that the thing could be changed, and it ought to be changed.

Q. Did you see any colored men intimidated there that day?—A. Not at all.

Q. Did anybody threaten to kill you if you did not vote the democratic ticket?—A. No, sir; I did not hear it.

Q. Did you see anybody prevented from voting there?—A. Not at all; I never saw anybody prevented.

Q. How long were you there?—A. I got there at eleven o'clock and I left at four in the evening, and Mr. Wilson was standing up on the box, and he called, "Every man that has not voted, come up here and vote." I heard him say that.

Q. That is all you know about it, is it?—A. That's about as much as I saw.

Q. You are a democrat because you want to be a democrat?—A. I am a democrat, and I reckon I would have been like the rest, but I had some experience living with the democrat party in the State of Tennessee.

Q. Did the people of your own color say anything to you about being a democrat?—A. Good Lord, yes; and a heap of them didn't talk to me, but I talked before the election, and told them, "You all don't know what you are doing." If I do a crime in the State of South Carolina, I don't want to be tried here; I want to be carried to the State of Tennessee and be tried there. Said I, "I will get my justice, even if I have to be hung, in the State of Tennessee." I was living near Nashville, in eleven miles of it, for six years, but I can't live here.

Q. You lived better under democratic rule than you do under republican rule?—A. O, Lord, yes, sir; I have my freedom now, and I now own a hundred acres of land, and brought the money from Tennessee to buy it, and I said to white and colored, "If this law don't change I will sell my land and move back to Tennessee," and so I will.

By Mr. CAMERON :

Q. Of what State are you a native?—A. South Carolina; I was born and raised in South Carolina.

Q. When did you go to Tennessee?—A. I went to Tennessee two years after emancipation.

Q. You were in South Carolina when emancipation took place?—A. O, yes, sir; I was here.

Q. You were a slave before the war?—A. Yes, sir.

Q. Do you not rather wish you were a slave now?

The WITNESS. Me?

Mr. CAMERON. Yes.

A. If I had to stay here I would. I am nothing but a slave, although I have got a hundred acres of land. I am far worse off than I was when I was a slave. Then I lived gentlemanly, and I was my master's servant, and there was somebody to look up to, but now I have nobody to look up to but Redmon. My dear master desires to help me, but is not able to do it; that's what I know; he would do it if he was able to.

Q. Do you not think your master lost some of his property during the late war?—A. O, yes, sir; they lost some, but the taxes is killing them out.

Q. How much taxes do you have to pay on your one hundred acres of land?—A. I paid last year eight dollars.

Q. Have you any personal property?—A. Yes, sir.

Q. How much?—A. Well, I had a horse and mule and six head of cattle, and a few hogs. I am killed up now, and I don't suppose I have more than six or seven head of hogs.

Q. How much taxes do you pay in all?—A. All my taxes amount to seventeen dollars.

Q. You think that is very high?—A. Almighty high. They possessed [assessed] my watch, they possessed my old gun, and they possessed my

plow, and they possessed my plow-gears, and I had to give in and swear to everything I am worth under the heavens; and I told my wife when I come home, "Old lady, bless God, I can't stay here, 'cause they will make me pay for fire-wood upon my own land directly."

Q. They did not tax you for your wife, did they?—A. No, sir; they didn't tax me for my wife, but if they keep on I expect they will.

Q. How many children have you?—A. I got fifteen, but they are all married but one. I only got one home now; but they will make me pay taxes on my baby after a while, I reckon.

Q. Your master had to pay taxes on you before the war?—A. O, yes, sir; but he didn't have to pay on what I have to pay now. He wasn't taxed like I am now. I know my old master told me before he died—I disremember what he said his taxes used to be, but he told me, "Boy, I have more taxes to pay now than I did when I owned every single one of you." I know he told me that.

By Mr. CHRISTIANCY:

Q. He said so himself, did he?—A. Yes, sir; before he died. When I went to Tennessee and went to see him, he set down, and he was so much joyed to see me he cried; and he said, "My good servant, how have you been getting along?" And I told him, and he said, "When did you come back?" Said I, "Master, I have come to stay." Said he, "Poor boy! If you are doing any good, don't stay here." He said, "Here's my plantation; I own my plantation; that is a home for you as long as I live; just make yourself contented here." And then he up and tells me, too, how this country was working; and he said, "You will find it so; you better stay where you are." But I didn't listen to him; and now I am staying here, just for the present, but I am going back and take my family. I can't stand it.

Q. How much is your land worth?—A. I paid three dollars an acre for it. It is a very good tract.

Q. Are there any buildings on your land?—A. No buildings on it until I put them on. I put on a good deal of buildings myself. I suppose I put on three hundred and fifty dollars' worth myself.

Q. Did you put on any fences?—A. O, yes, sir; I fenced. There was none when I got there.

Q. How much do you think your farm is worth now?—A. I make from seven to eight bales of cotton.

Q. And how much corn?—A. About a hundred bushels of corn; and I make about twenty-five bushels of wheat; and I reckon if my oats was shelled out now I would make about twenty bushels of oats; but I feed them in the sheaf.

Q. How much do you think your farm is worth?—A. I think my farm is worth, to run it a year, about four hundred dollars.

Q. How much would you be willing to sell out for? That is what I mean.

The WITNESS. My land?

Mr. CHRISTIANCY. Yes.

The WITNESS. I would be willing to take \$400 for my land. I gave \$350; interest and all cost me that.

Q. You did not have to pay any taxes in Tennessee?—A. Not a bit; not a bit; 'cause I wasn't worth a thousand dollars. I never paid a tax since God made me until since I come here. I never did pay taxes. I can go to any town in Tennessee, and I can go to colored men that's more able than the principal portion of the white people here, and I can borrow a hundred dollars of men that knows my principles; and I won't

ask a white man to lend me \$50 but what he would give it to me. If they find that you are an honest and faithful servant, all you have got to do is to ask for a few dollars, and they will take out their pocket-book and give it to you, and don't want any paper for it.

Q. How is it in this State?—A. The white people are poor in this State, and no mistake about it. You may believe it or not, but you can get witnesses to prove it. If you will only apply to Shelby County, Tennessee, there's negroes there that's worth more than the best portion of the whites up in the neighborhood where I live in, and that's the truth of it. You don't catch a nigger that has any mule toting a little corn in a half-bushel on top of his head five or six miles to mill; you never see anything of that sort in Tennessee. You don't catch a nigger with an old ragged blanket around him, like me; and the little children all has nice pantalets and tricked out nicely, and there's just as much education and more than there is here, and they carry something to eat when they go to school. Here you send children to school, and there's some in my neighborhood that has not got bread enough to eat; but, still, they send them. They carry a little piece of bread for two or three of them, and it is just enough for one; and corn is \$2 and \$1.40 and \$1.50 a bushel here, and there you can get corn for 50 and 60 cents, and flour is \$5 dollars a barrel, for which you have to pay \$10 here. They all live better there than they do here. And meat—why, that is nothing; there's plenty of it there. You don't hear of them liaving people up for stealing and killing cows. I was surprised to hear about men killing as big a thing as a cow, and stealing and killing hogs, and to hear people growling how their hogs was being killed. They have got a law in this State, and I just want to see them tried; but I have seen them tried here, and the trial-magistrate, after trying them and condemning them to the penitentiary, says, "O, well, you all go out and make it up the best you can, and you pay him for his hogs." Well, they will go out and promise to pay it. Then the magistrate says, "I must have the costs." Then it is all hushed up, and they will go right straight back home and steal again in two weeks' time. And I just got right up and spoke right out and said, "If that's the case, you ought to be ashamed. You know that's not the law for you to tell him to go out and make it up. You ought to make a 'sample of every one that comes in. There's no law to tell them to go out and make it up when a man goes out and kills a man's hog, and then go and pay for it." He say, "You just go off; this is none of your business; you let them fight it out." Said I, "That's mighty poor law in this State, and you ought to take up every man; they confessed they stole the hogs, and was caught with the meat and everything;" and I says, "You ought to put the very penalty of the law upon them." He says, "Have you any business here?" I said, "No." He said, "Then get out of here." Said I, "I can get out, if this is your house, but it's mighty hard, I think." "What is it to you?" he said. Said I, "I was just looking at the law myself. I went out and told the man, "Colonel," says I, "you ought to prosecute them; you ought to be ashamed of yourself to make a compromise with them men, and let them give you \$2 apiece for your hogs after they have done killed them." I said, "You had better shoot them."

By Mr. CAMERON :

Q. What colonel was that you were talking to?—A. Tom McClinton, a colored man.

Q. One colored man stole another colored man's hog?—A. Yes, sir;

they will steal from one another worse than they will from the whites. If you have property they will steal it.

Q. Have you had any stolen from you?—A. They did come in my field and steal from me, but they are getting afraid of me. They know I have got a mighty good double-barrel gun, and I lay out in my fields of nights, and they don't know when I am in or when I am out.

Q. Have you shot any negroes since you came back from Tennessee?—A. No, sir; but I have promised if I cotched them taking a ear of corn I will take the law into my own hands; and they believed me, too. I told them before I come here, "I am going down there to swear to what I know, and all the big meetings, and all the little ones, and all the democrat meetings and all the radical meetings. I see people braced up, but I know it's all for nothing; for I will be at your back-bone at the last day." I made that up in here, [pointing to his heart.] They said, "Old man, what way are you going?" "O, you never mind," I said; "I am going to the election;" and they had a good idea of me, and on the day of the election I went and stood up and spoke these words, and said, "Live or die," I said, "hand me a democrat ticket;" and the niggers were all standing around there, [witness threw up his hands and rolled his eyes, giving a very comical expression to indicate surprise,] and they said, "O, you Tennessee democrat rascal." I said, "When I am a democrat I do as I please." They said, "You don't belong to my party; you go against your race." I said, "I haven't got no race; if my children don't do right"——

By Mr. CHRISTIANCY:

Q. The colored people here are not the same as they are in Tennessee?—A. No, sir.

Q. Are the democrats the same as they are in Tennessee?—A. There ain't no democrats in Tennessee, that I know, or such a few that they are never noticed.

Q. Democrats, I say, and not republicans.—A. There's such few radicals that I never noticed them. The democrats is all right; we are all hand in glove together; we go together, and the white men and the colored men are all melted in arms together, always live together, and when we meet one another we meet in friendship; no bushwacking, no shooting, no threats; all in love and perfect union, like we have to be when we go to glory.

Q. Is your wife a democrat?—A. Yes, sir; and all my family. My children are democrats. I teach my children the democrat since I came from Tennessee, and I teach it to all the family all the time. My wife told me here, since the day of election, "If this thing continues, we must go back;" and I said, "Yes; I am going." She said, "If you can't sell, and git your price for the land, let's rent out and go back anyhow;" and I will. I mean what I say; I won't stay here. I am in earnest about it. If we lose this election I won't stay. Of course I am bound to make this crop; but after this crop I will go. There's no chance, there's no chance for living here. I have been here four years, and every year God Almighty do send me worse and worse every year; and not only me—I look at my fellow-creatures, the white men, and I look at my fellow-creatures, the colored men, getting poorer and poorer; and just about this time the niggers is strained to death to get money to pay one dollar on the head, and where do they get it? Can they get it from you, master? And they put it on their own selves, too. They did rent land, and got turned off aftertimes. A man who owns land would say, for example, "I would like to rent my land, and if I didn't have such

heavy taxes to pay every year, I could let you have it a little cheaper; but since I got to pay the taxes, you shall pay the taxes to me, and I will have to make the rent higher; and if you don't pay it you shan't work my lands." I keep telling them how it is, but they won't hear it. If they would all do right we would all come together.

By Mr. CAMERON :

Q. How many negroes have been killed in your neighborhood this year?—A. Not one. Some of them deserve to, though, honestly. Now, that's the truth.

H. R. GIBERT—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

H. R. GIBERT sworn and examined.

By Mr. MERRIMON :

Question. What is your age?—Answer. I am twenty-seven years old.

Q. Where do you reside?—A. In Abbeville County.

Q. What is your business?—A. Farming.

Q. To what political party do you belong?—A. I do not belong to any political party at all.

Q. Well, with what party do you vote?—A. I vote the democratic ticket.

Q. Were you at Calhoun's Mills on the day of the late election?—A. Yes, sir.

Q. I will thank you to give the committee an account of what you saw there as to the manner of conducting the election, whether there was any violence or whether you saw anybody intimidated or prevented from voting?—A. No, sir; I did not. I was at the polls early in the morning; went there the night before, and was there when they were opened. I suppose there were about thirty white men on the ground, and about three hundred darkies—one hundred and thirty came from one direction, and about one hundred and fifty from another—from church Saint Mary, about a mile and a half from the polls; and they marched up about daylight, or a little before, and staid at the polls until the white men commenced voting. About thirty white men commenced voting, and about the time they got there these darkies came up with clubs, two and two, and crowded the white people back; but everything went on quietly until about twelve o'clock, when this fellow Heard had a private difficulty. I don't know anything about the parties at all, but that was a private difficulty, and did not interfere with the polls at all. Nobody was prevented from voting.

Q. Did you see any guns or pistols about there?—A. No, sir. I saw one gun in the morning; I don't know who had the gun; it was not near the polls.

Q. Did you see any demonstrations of violence in any way?—A. No, sir; none at all.

Q. How many of those negroes had clubs?—A. Most every one in the crowd. I could not tell how many; most all of them had their clubs in their hands.

Q. State whether your attention was drawn to any certificate given by the managers of the election in the course of the evening, and if you say yes, state whether you saw anything done about it, and whether

any pistols were drawn in order to make the managers sign it.—A. No, sir; that is all false.

Q. What happened about it, as it came under your observation?—A. These two managers of the election were asked to sign this certificate, and they said yes, they were willing; that they had seen no intimidation at all; and there was no pistol drawn at all. I saw no sign of it.

Q. One man has sworn that there was a pistol drawn out and laid on the table before the managers, and that they were compelled to sign this certificate.—A. That is all false; there is nothing of that.

Q. Do you know whether any person from Georgia attempted to vote there?—A. Only one man, and his vote was challenged by Mr. Heard. He said he had lived in the county two years before, and was in the county this year. I know myself that he had been in the county for the last two years, and lived with Mr. Boyd, but where he lives now I do not know. I think he voted. He says he lived in that part of the county. I know that he had been in Abbeville two years.

Q. Do you know whether W. H. Heard voted there or not?—A. Yes, sir; he voted there.

Q. Do you know whether W. H. Taggart voted there?—A. Yes, sir; he voted there, and voted a democratic ticket at that poll.

Q. He voted the democratic ticket?—A. He did so, certainly; I seen him.

Q. Do you know whether Sutton voted there?—A. Yes, sir; he voted there early in the morning; he was the first one to vote the radical ticket, I think.

Q. Did you see Taggart vote?—A. I saw Taggart vote.

Q. Did anybody drive him up to the polls or force him in any way?—A. No, sir. He even told them, that if anybody wanted to see how he voted, to look, and he held out the ticket and said, "That is the way I vote." He showed it to several around there, and told them that he voted the democratic ticket.

Q. Jefferson Clay has sworn before this committee that a white man came to the polls and laid his pistol on the box, and asked the democratic manager to write a certificate that there had been no intimidation up to that time; and he wrote it, and the white man made Clay and the other republican manager sign it. Is that true?—A. No, sir; that is not true.

Q. Were you there at that time?—A. I was there at the time.

Q. Was any pistol drawn?—A. None at all.

Q. L. P. Guffin says that Hugh Gibert asked him what business he had there; that he told him he had a right to vote where he damn pleased; that he said he (Guffin) had better leave or he would be killed; that he (Guffin) said, "You had better try to kill me!" and that Gibert said there would be a person there to do it. Is that true?—A. No, sir; that is obliged to be a lie and nothing else but a lie.

Q. Is it false?—A. Every word of it is false.

Q. You are that Hugh Gibert that is referred to?—A. Yes, sir.

Q. Did you see any man driven away from the polls?—A. No, sir.

Q. Was there opportunity for everybody to vote who wanted to vote?—A. Everybody voted that wanted to.

Q. By what time in the day was the greater part of the vote in?—A. Between twelve and one o'clock, I think.

Q. Was there much voting in the evening?—A. Yes, sir. The voting continued until six o'clock.

By Mr. CAMERON:

Q. Who asked for this certificate of which you have spoken?—A. I think Mr. Cade perhaps first mentioned about the certificate.

Q. What did he say?—A. He merely asked him to give a certificate that the election up to that time was quiet, and they were willing to give it.

Q. I did not ask you what they were willing to do; I am trying to get at what they said. What did he say?—A. He just asked for a certificate.

Q. What did he say?—A. I have told you that once.

Q. No, you have not told that at all.—A. I have told you that he said—he just asked that question.

Q. What question?—A. I told you that he asked for a certificate up to that time.

Q. Whom did he ask for it?—A. He asked Colonel Talman and these two nigger managers to give a certificate.

Q. Was he intoxicated at the time?—A. If he was I didn't know it. I didn't know enough about the man to know whether he was intoxicated or not.

Q. Where were you at that time?—A. I was standing right in front of the box, holding to the pike poles where they all vote between, and I staid there all day.

Q. What official connection had you with the election?—A. None at all; no more than I lived within a mile and a half of there, and I thought I had as much right to be there as anybody else, and I staid there.

Q. I asked you what official connection you had with the election?—A. None at all.

Q. Who replied to Cade when he asked for that certificate?—A. These two niggers both said that they were willing to sign it, and Colonel Talman just wrote the certificate.

Q. I asked you who replied to Cade?—A. He didn't reply to any one in particular.

Q. Who replied to him when he asked for the certificate?—A. He didn't get any reply. Colonel Talman asked the men whether they were willing to have the certificate drawn out, and they said "Yes," and he drew up the certificate.

Q. That is all that occurred with reference to that certificate, is it?—A. No; he drew it up, and then they signed it, but I saw no intimidation.

Q. I did not ask you whether there was any intimidation. Do not be in such a hurry about that.—A. All right; I will wait on you.

Q. Was that all that was said in regard to the certificate? Have you stated all that was said by any one there in regard to the certificate?

The WITNESS. Have I stated all?

Q. Have you stated all that was said by any one at that time in regard to that certificate?—A. Yes, sir. There was nothing else said until it was written out.

Q. What was said when it was written out?—A. These two men were asked to sign it.

Q. Who asked them?—A. Colonel Talman.

Q. They signed it, and then what occurred?—A. Nothing else occurred; the men came in there after that, and voted on, I suppose.

Q. Was the certificate handed to any one?—A. No, sir; Colonel Talman kept the certificate. He just kept it. These men signed it before a magistrate.

Q. Where did Cade go then?—A. He was about there on the ground. I did not notice particularly where he went after that.

Q. What time did Cade go to the polls?—A. I suppose it was about twelve o'clock; perhaps it was after that time.

Q. Did he go alone or in company with any one?—A. He came with all his hands, and several other white men, and all his hands that lived with him came with him.

Q. About how many persons came there with him?—A. Well, I declare I don't know how many did come. I was right at the polls all the time, and he came to the polls—him and his hands. I suppose he came with ten or twelve of his hands along with him.

Q. Did you see him as he was approaching the polling-place?—A. No, sir; not till he got right up to the polls.

Q. Did you notice, then, who came with him?—A. I know that his hands came with him.

Q. How did they come—on horseback?—A. Yes, sir; I think they came on horseback; may be the hands were in a wagon; I don't know.

Q. Did they have on red shirts?—A. No, sir.

Q. Did they not have on blue shirts with yellow edgings?—A. No, sir.

Q. You swear to that positively?—A. I will swear that the hands didn't have red shirts.

Q. I ask you if they did not have on blue shirts with yellow edgings?

The WITNESS. His hands?

Mr. CAMERON. Yes; those who came there with him.

A. No, sir; I am pretty sure his hands did not. I am not positive whether they had on blue shirts, or red shirts, or what.

Q. Did you have any conversation with Guffin that day?—A. No, sir; I had no conversation with Guffin at all that day.

Q. You did not speak to him at all?—A. I had nothing to say to him at all; I didn't speak to him.

Q. Did he speak to you?—A. No, sir; Guffin never spoke to me.

Q. What time did you leave the polling-place?—A. I left there when the boxes left. I suppose it was about six o'clock, or a little afterward, when they closed the boxes.

Q. At whose request did you go there?—A. At my own.

Q. Were you a member of a democratic club?—A. I told you once I was not.

Q. No; you did not; you told us you were not a member of the democratic party.—A. I am not a member of a democratic club.

By Mr. CHRISTIANCY:

Q. What part did you have in that quarrel between Heard and this man Cade?—A. Not a bit more than you did, sir.

Q. Were you there close to them?—A. I was close to them.

Q. What was it about?

The WITNESS. What was the quarrel about?

Mr. CHRISTIANCY. Yes.

A. I didn't know that they had any quarrel at all.

Q. The quarrel with Heard, I am speaking of.—A. No, sir; I didn't know that Cade and Heard had any quarrel at all.

Q. Did you not speak about a private quarrel between somebody and Heard?—A. I told you I didn't know the gentlemen at all.

Q. Do you know who Cade is?—A. I know Mr. Cade when I see him.

Q. Was he the one that had the quarrel with Heard?—A. No, sir; he was not.

Q. Who was it?—A. I do not know.

Q. Did you take any part in that quarrel that this man had with Heard?—A. No, sir; I didn't take any part in any quarrel at all.

Q. Some men threw stones, did they not?—A. I heard that they did; I didn't see any stones thrown at all. After he had got away from the polls, Heard was standing right there, and backed right off; but the crowd was so large that I couldn't see anything about it.

Q. Did you see anything that took place after he got away from the polls?—A. No, sir; none at all. I don't know anything about it.

Q. Then all the quarrel you saw was right there at the polls?—A. I didn't see any quarrel at the polls. That fellow got back from the polls and got out from the polls.

Q. What do you mean by saying that there was a private quarrel there between some parties?—A. Well, there was a disturbance.

Q. Right at the polls?—A. No; I told you Heard got back from the polls.

Q. How far back from the polls?—A. I don't know how far they were from the polls; not very far, though; the crowd had gathered around so that I could not see.

Q. You were not out there at all?—A. No, sir.

Q. And you do not know what they were quarreling about?—A. I don't know anything at all about it.

Q. How do you know, then, that it was a private quarrel?—A. Because they all said it was a private quarrel.

Q. But you do not know anything about it yourself?—A. I don't know anything about the quarrel that they had; nothing at all.

T. B. JETER—UNION COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

T. B. JETER sworn and examined

By Mr. MERRIMON:

Question. What is your age?—Answer. I am fifty years old.

Q. Where do you reside?—A. At Union Court-House, Union County, South Carolina.

Q. What is your occupation?—A. I am a planter.

Q. With what political party do you affiliate?—A. I have been affiliating with the conservative or democratic party of South Carolina.

Q. State whether you have any official position in this State.—A. I was elected four years ago last fall to fill out an unexpired term of the senator from Union County, and two years ago I was elected to fill the regular term. I have served two terms as senator from Union County in this State.

Q. State whether you took any part in the late political campaign in this State; and if you say yes, state how extensive were your means for observing the political movements.—A. I took an active part as far as my health would permit. I believe I attended the first public demonstration or speaking, and made a speech there. Later in the year my health was not so good, and I did not attend the regular appointment, but I was at our county-seat at Union Court-House when Gov-

ernor Hampton was there, and also when the republicans were there. I was out of the State, at Philadelphia, about ten days, and with the exception of that time I was in the county during the whole canvass.

Q. State whether you saw any manifestation of violence, or whether the policy of the democratic party, within your knowledge, was peaceful and quiet, and state any special reason that the party had for being so.—A. I saw no demonstrations of violence at all. I was at the election at our county-seat. On the day of the election, I do not think I ever saw a more peaceful and quiet election. There was not a single assault and battery even. It was stated publicly that the United States marshal said that he had never seen a more quiet election than on that day. There was a company of United States troops near the place. Captain Davis, who is in this city now, was the officer in command, and his troops were not called out.

Q. What was the policy of the democratic party in the late campaign, if you know, toward the colored men? And state if there was any special reason why that party wanted to reach them in their arguments.—

A. Well, sir, as far as I heard and know, the policy was to conciliate the colored men and bring them over to our party; to show them that our interest and their's were the same in the State, and what was the interest of the rich man was the interest of the poor man; that heavy taxation and the manner in which things had been conducted in the State were injuring not only the republicans but the democrats. It was not so much a political act. The course of the republican party in the State had been such that it was destroying the State, and there was an effort made, and a very great effort, to conciliate the colored people and show them that their rights and interests would be protected and promoted by the democratic party as much as by the republican party. It was part of our platform which had been announced, and Governor Hampton had announced it upon every stump in this State, that he would protect their rights. I was present when that platform was adopted, and was one of the members of the convention.

Mr. CAMERON. The platform will speak for itself.

The WITNESS. Then I heard Governor Hampton speak at our place, and he said that in his speech, and not only that, but he said this to the white people: "If you think, because you have fought under me in the war, that I am going to protect you in any lawlessness, I want you to understand that I do not want you to vote for me." I may say that I made the same arguments to the colored people afterward.

By Mr. MERRIMON:

Q. Were you familiar with the policy and movements of the democratic party in the late campaign in this State?—A. I think I was. I was here in Columbia before the election, to the last meeting of the chairmen of the different counties, who were called together here by the executive committee of the State about two weeks before the election, and I remember distinctly that Colonel Haskell, as chairman of that meeting, insisted that there should be no intimidation shown; that there should be no disturbance created.

Q. I ask you whether at any time, in any way, you sought to induce the colored people by threats or intimidation to vote the democratic ticket.

The WITNESS. Whether I myself did?

Mr. MERRIMON. Yes.

A. Well, sir, I did this: I said to some colored men who were upon my place, and who had been living with me for a number of years, that

I would like for them to vote with me, and I wanted it distinctly understood that, under the circumstances, I would carry out my contract for the year to the letter, and would treat them as fairly as I would my brother. I remember using those very words to them. But I said, "If, under the circumstances, you vote against our party and against me in this election, why after this year, then, you may expect to go with somebody else. You need not expect to live with me after this year." In justice to myself, I ought to say at the same time that I have said since and do say now, in connection with the parties who lived with me, that I would be perfectly willing to give them a recommendation, and endeavor to get them a home.

Q. State whether you know that anybody in the democratic party used threats or violence, or whether there was any violence resorted to to induce the colored men to vote the democratic ticket.—A. I do not know of any instance.

By Mr. CAMERON:

Q. Did the people on your place, to whom you made that statement, vote the republican or democratic ticket?—A. I think some of them voted the democratic ticket and some of them voted the republican ticket.

Q. Prior to this year, with which party had they acted, so far as you know?

The WITNESS. You mean the colored people on my place?

Mr. CAMERON. Yes.

A. I think part of them voted the democratic ticket and part of them the republican ticket.

Q. Therefore, on the whole, your statement did not have much effect on them?—A. There is one party living upon my place who did not vote at all at the election before this. It is a white family, too. At the election before this, when I was a candidate, the white family did not vote at all. I told him that this year I would expect him to leave my place. Although he voted with us this year, yet when I was a candidate myself I have understood that he did not vote for me. He has left my place. Some of the people on my place have voted with the conservative party, and some against it. I am not able to say what effect it has had, of course, because that is going a little further than I would be willing to go.

Q. Do you intend to carry out the statement you have made?—A. O, certainly. That I consider a matter of contract, and I expect, as a matter of course, to carry out what I have said.

Q. Those who voted the radical ticket you do not expect to make any contract with?—A. No, sir; those I told so I do not. Those that I told they might look for homes, I expect them to do it; but the others I expect to stay with me.

Q. Do you know whether the land-holders in that part of the State generally took the same views of that question that you did?—A. I do not think they did, generally.

Q. Do you think many did?—A. I think some did; to what extent I am not able to say.

Q. You say that you were present at a meeting in this State of the democratic chairmen of the different counties, and that Colonel Haskell told them in substance that there must be no intimidation and no disturbance?—A. Yes, sir.

Q. Well, had anybody suggested that there should be intimidation or disturbance? Why was it necessary that he should impress it upon

them so strongly that there was to be no intimidation?—A. Well, there was this; there was something said about making a demonstration the night before; for instance, making some demonstration in the way of a noise. It was proposed that some parties should ride through the county and make a demonstration in that way, and he insisted that it was intended that everything should be quiet and that it should be entirely peaceable.

Q. Then you say the proposition was to make a noisy demonstration the night before the election?—A. I remember now. I think, perhaps, it was said by one or two that there were parties in that county who intended to do it. I do not know who it was. I cannot say that it was the determination in the county to do it, but it was said that there was an intention to do that on the part of some persons in the county.

Q. On the night before the election?—A. On that night or a few nights before; and it was urged on the part of the executive committee that nothing of the kind should occur, and I think it was generally conceded that nothing of the sort should be done.

By Mr. MERRIMON:

Q. State whether any statute has been passed by the legislature of this State providing for the registration of voters under the constitution.—A. No, sir; there has been no statute since I have been in the legislature for four years.

By Mr. CAMERON:

Q. You are a member of the present State senate?—A. Yes, sir; I am a member, and I have one more term to serve.

A. H. HARPER—WILLIAMSBURGH COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

A. H. HARPER (colored) sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. I am twenty-four years old.

Q. Where do you live?—A. In Lowndesville.

Q. What is your business?—A. I am a farmer.

Q. What political party do you belong to?—A. Well, the republican party.

Q. State whether you were manager at Lowndesville on the day of the election?—A. I was manager, sir.

Q. Where was the box situated? How was it fixed?—A. Well, it was fixed on a pine table in front of Mr. Baker's store.

Q. Could you see the crowd from where you were?—A. Yes, sir.

Q. Were there any violent demonstrations there that day of armed men?—A. No, sir; none that I saw.

Q. Was there any fighting or shooting?—A. None as I saw.

Q. Did you see any colored men intimidated when they went up to vote?—A. I did not.

Q. Everybody voted who wanted to?—A. Yes, sir.

Q. What do you say of the election as to its fairness or unfairness?—A. Well, it was a fair election, as far as my knowledge extended; as far as I saw.

• Q. Do you know how many colored men voted the republican ticket?—

A. No, sir; there was one hundred and seventy some odd, I think was the calculation of the managers, but I couldn't tell you the exact number.

Q. How many meetings did you attend?—A. Two meetings.

Q. Where did you attend the meetings?—A. One at Abbeville and one at Lowndesville.

Q. Were the republican speakers there disturbed or in anyway prevented from speaking?

The WITNESS. At Abbeville?

Q. Yes.—A. No, sir; not at the time I was there.

Q. Were they at Lowndesville?—A. No, sir.

Q. State whether any of the sentiments that you heard expressed at Abbeville by some of the republicans you took exception to?—A. Yes, sir. Well, I could not tell you what exact instructions were given, but there was something used by some of the speakers—they were republican speakers—there at the fair grounds that I thought was not suitable for the colored people of the country to go by.

Q. What was it?—A. One portion of it was that they instructed them to go to their meetings, and to go prepared to defend themselves, &c.

By Mr. CAMERON:

Q. You did not think that was proper?—A. No, sir.

By Mr. MERRIMON:

Q. Why did you not keep with the democrats? Why would you not go with the democrats?—A. Well, I did not go with the democrats because I thought the republican party was the best party for the colored people up till the time I heard that speech at Abbeville, and I heard the remarks that was made there by some of the public speakers, and knowing that all the colored people and white people lived together, I thought they ought to go together, and I had the idea then at the public meeting to withdraw from the party.

Q. Well, did you do it?—A. No, sir; I didn't do it. I started to do it, but I was 'swaded by republican friends not to do it.

Q. Who were your managers there on the day of the election?—A. Tom Heard and Mr. B. A. Davis, two colored men and one white man.

Q. Who were the supervisors?—A. I have forgotten what is his name; a fellow from Abbeville Court-House.

Q. A white man or a colored man?—A. A colored man.

Q. Who was the United States marshal?—A. A fellow named Burt Griffin.

Q. State whether, from your knowledge, the election was fair or unfair.—A. When the election was over, myself and the other managers and the supervisor and United States marshal—

Mr. CHRISTIANCY. (To Mr. Merrimon.) You ask him whether Mr. Griffin said it was fair or not?

Mr. MERRIMON. Yes; all of them.

Mr. CHRISTIANCY. Then I object to it, on the ground that Mr. Griffin himself was not asked whether he made such a statement, and you cannot contradict him in that way. You have got to put the question to the witness himself before you can impeach him in that way.

By Mr. MERRIMON:

Q. State anything that A. B. Griffin said to you about the manner of conducting the election.—A. He did not say anything personally to me.

Q. State anything you heard him say.

Mr. CHRISTIANCY. I object to that. I have no objection to his an-

swering the question, provided it does not bring out anything that is objectionable; but if it brings out anything that he heard said about the fairness of the election, then I shall move to strike it out, for the reason that that question was not asked Mr. Griffin.

The WITNESS. After the voters had dispersed and went home, we all said that we thought it was as quiet an election as ever we had seen. All of us expressed that.

By Mr. MERRIMON:

Q. Were those men democrats or republicans?—A. Which men?

Q. Those men who expressed themselves that way?—A. We was the managers of the election and the supervisor, all of us there together.

Q. Do you know whether any men have been killed in Abbeville since the canvass began?—A. Yes, sir.

Q. Who was killed?—A. I knew of three men was killed.

Q. Why did you join the democratic party?—A. Well, I had been in the republican party all the time, and it had been promising me—making such great promises to the colored folks if they voted for them; and they promised to give us forty acres of land and a mule, and never has given us nothing yet, and I saw every year that they was bringing the colored folks into starvation, and we could get nothing to do, and I thought it was better to go along with our people at home and try them who we was raised with. I just came to that conclusion myself.

Q. Do you know whether the republicans or any of their leading men advised the colored men to stay away from the democratic meetings?—

A. O, yes, sir, I know a plenty of them that just done that. There was a lot of colored people joined the democratic party before the election—two months, I reckon. They had been holding club-meetings, and advised all the colored folks to stay away from the democratic meetings, and said not to go to them.

Q. Did you attend a meeting at Jim Allen's?—A. I was at Mr. Allen's one Saturday. I was with the republican party, and they all had guns and pistols.

Q. You were with the republican party there?—A. Yes, sir; I was in the republican party then. We were there and had a meeting. They said if the democrats came there to interfere with us we would whip them. And they had a meeting at Lowndesville the same day the democrats did.

Q. What did they say?—A. The colored folks said that they would not go to the democratic meeting; that we would have a meeting of our own, and not go to the democratic meeting at all. Well, we had our meeting, and the white folks came out there, some fifteen or twenty, and asked them why they didn't go to their meeting, and they said, "No; we want nothing to do with your meeting. We are going to have our own meeting," and they didn't go at all to Lowndesville, and the white folks went on back then. They said, "You won't come to our meeting; we won't stay to yours." I was one of the head ones talking.

By Mr. CAMERON:

Q. On whose land did you live?—A. I lives on Jim Lomax's land.

Q. Is he a white man and a democrat?—A. Yes, sir. He don't stay there, though, on the place. He stays in Anderson. There's nothing but colored folks on his plantation.

Q. Were you a slave before the war?—A. Yes, sir.

Q. He was your master?—A. Yes, sir.

Q. And you have lived right along on his place since that time?—A. No, sir; I have not been living there ever since. I have lived at differ-

ent places: lived at George Graves's one year, and I lived backwards and forwards, first at Mr. Graves's and then back there; and I have been living there now for the last five or six years.

Q. How much land do you work?—A. I work thirty acres of land—between thirty and thirty-five acres. I run a one-horse farm.

Q. When was the meeting held at Lowndesville that you have spoken of.

The WITNESS. The time that they had this democratic meeting there?

Mr. CAMERON. No; the republican meeting that you spoke of.

Q. On the day they had the republican meeting at Mr. Allen's; that is, I heard that there was—

Q. We don't want what you heard. Did you see them?—A. No, sir.

Q. Do you know whether the colored people were advised to keep away from the democratic meeting?—A. Yes, sir; they were advised to keep away from the democratic meeting.

Q. Who advised them to do it?—A. Well, the republicans. That was the general advice.

Q. The republican speakers?—A. It was not the republican speakers, but it was the republican county committee, I think they are called, at Abbeville Court-House.

Q. They told them so?—A. They thought that it was best to keep away from the meetings, nor not to get up any dispute or discussion between the two parties; that they were afraid that they would get up a row or something, and that it was best for them to hold their own meetings by themselves, and the democrats to hold their own meetings also by themselves.

Q. Did you vote the republican ticket at the last election?—A. Yes, sir.

Q. How long have you been a republican?—A. I have been a republican ever since I first knowed the republican party.

Q. And the only reason you had for leaving the party was on account of something that some public speaker said at Abbeville?—A. Yes, sir.

Q. Now what did he say?—A. He made some remark about the meeting and about colored people not going with the whites, &c. Well, principally about the meetings—going on with their republican meetings. Some of them reported to some of the managers there that they could not hold meetings; that the white people would not let them, and all those kind of things. And they said that their advice was to go on with the meetings, and if they were disturbed by the whites they would have to defend for themselves, and I thought like the black people was not able to defy the whites in such a way as that; that they was too weak, and they would have to give way; and I thought that we could not stand, and that was why I had an idea of leaving the republican party.

Q. You thought if the white people were determined that the colored people should not hold any political meetings the colored people had better not try to hold any?—A. Well, yes, sir; that of course we obliged to have been my thoughts.

W. B. BELL—LAURENS COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

W. B. BELL sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. I am forty-six.

Q. Where do you reside?—A. I live at Clinton, Laurens County.

Q. What is your business?—A. I am a merchant.

Q. To what political party do you belong?—A. To the democratic party.

Q. Where were you on the day of the election?—A. I was at Clinton.

Q. Was the election held at that place; is that a village?—A. Yes, sir, that is a village.

Q. How large a place?—A. Well, it has about four hundred inhabitants.

Q. How large is the vote there?—A. There was, I think, fifty or fifty-two. I forget which.

Q. Were you at Clinton on the evening of the 6th of November?—A. I got there about four or five o'clock in the afternoon. I was at Laurens, and I came to Clinton about four or five o'clock in the afternoon, I suppose.

Q. J. O. Ladd swore that at nine o'clock in the evening of the 6th of November he was at Clinton, and about twenty men were riding about, mounted, and raiding the county—A. I did not see anything of that, sir.

Q. Would you have seen it if it was so?—A. Yes, sir; I was down at my store and about all through the village. I did not see a person riding.

Q. Did you see any armed men about there?—A. No, sir.

Q. Is your store a public place?—A. Yes, sir; the post-office is at my store.

Q. How large is the place?—A. Clinton?

Q. Yes, sir.—A. About four hundred inhabitants.

Q. You did not see any men preparing to raid the county armed?—A. No, sir; I did not see anything of that sort.

Q. Were you there on the day of election?—A. Yes, sir.

Q. Were you a manager there?—A. I was a manager; yes, sir.

Q. Could you see from where you were a crowd out doors?—A. I could see the crowd when they came in front of the polling-place.

Q. W. H. Dunlap says that on Monday night two hundred democrats came in the town, and staid there all night, with revolvers. Is that so, sir?—A. There was some democrats came there; but I do not know whether they had any revolvers or not. If they had I did not see them.

Q. Did you hear or see any demonstrations of violence?—A. No, sir.

Q. Any shooting or firing?—A. Not at all.

Q. He says these armed men staid around the polls all day. Is that so?—A. I did not see a single armed man around the polls of any sort.

Q. He says whenever a colored man voted the republican ticket they would tell him to go home and move away. Did you hear anything of that kind?—A. Never a word of it.

Q. Could you have heard it if it had been said at the polls?—A. I certainly could, because he was at one side of the table and I on the other, and I could hear anything of that sort.

Q. He says they told them—that is, the democrats told them—there at the polls that if they voted the democratic ticket, or didn't vote at all, they would be all right. Did you hear anything of that sort?—A. I do not know that I heard anything of that.

Q. State whether you observed any intimidation of the colored men there at all?—A. None at all.

Q. Was there any obstruction of voting at your box at all?—A. None that I know of.

Q. How many colored votes were polled there?—A. There was about seven hundred.

Q. How many white votes?—A. About three hundred and— well, something in the rise of three hundred. There was ten hundred and fifty altogether—somewhere in the neighborhood.

Q. How many colored men voted the democratic ticket there?—A. About two hundred, I suppose. We had a majority there of eighty-four. I think there was about some two hundred on a rise.

Q. How did the vote of 1876 compare, as to numbers, with the vote of 1874?—A. Well, there was two less in 1876 than in 1874. It was pretty much the same vote as in 1874, and pretty near the same as regards the colored voters and white voters as in 1874.

Q. Substantially the same?—A. Substantially the same.

Q. Were there any armed men around the polls on the day of the election?—A. None that I saw; none at all.

Q. If there had been could you have seen them?—A. Yes, sir; I think I could have seen them. They may have had pistols in their pockets, or something of that sort, but there was no discernible arms.

Q. Did you know a man in your county by the name of I. W. Rice?—A. Yes, sir.

Q. Clerk of your county. Do you know his general reputation?—A. Yes, sir; I suppose he is the clerk of the court. I suppose I could say—

Q. That is what the people generally say about him?—A. Yes, sir.

Q. What is his reputation for truth and honesty?—A. Well, it is not as good as it should be.

Q. Well, is it good or bad?—A. Well, it is bad.

Q. Do you know a man there by the name of W. H. Rutherford?—A. Yes, sir.

Q. Do you know his general reputation?—A. Well, yes, sir; I reckon.

Q. What is it for truth and honesty?—A. It is not very good.

Q. Do you know another man named Raphael Stewart?—A. I do not know the man. I know him from reputation.

Q. That is exactly what I want?—A. He lives in the upper part of the county, and Clinton is in the lower part of the county.

Q. Do you know his reputation—what is generally said of him?—A. Yes, sir.

Q. What is his reputation?—A. It is very bad.

Q. Bad for what?—A. In every respect.

Q. From your knowledge of his reputation, would you believe him on oath?—A. No, sir; I could not.

Q. State whether at any time you sought to induce the colored people to vote the democratic ticket by threats of violence of any sort?—A. No, sir; I never did anything of that sort.

Q. Do you know whether anybody else did or not?—A. No, sir.

By Mr. CAMERON:

Q. How long have you resided in Clinton?—A. Well, I have resided there all my life.

Q. How long have you been engaged in the business of merchandising?—A. I have been engaged in it for twenty-five years.

Q. Were you engaged in any way in the late civil war?—A. Yes, sir.

Q. In what way?

The WITNESS. Was I engaged in the late civil war?

Mr. CAMERON. Yes, sir; were you in the army?—A. I was in the army.

Q. How long?—A. I was in the army the entire time.

Q. What position or rank did you hold in the army?—A. I was first a private; afterward I was a lieutenant in the enrolling department.

Q. You have stated the number of white men who voted at your place and the colored men who voted the republican ticket.—A. That is mere guess.

Q. Mere guess, is it?—A. Mere supposition approximated in the neighborhood.

Q. Could you tell, at the time a vote was deposited in the ballot-box, whether a colored man voted the democratic or republican ticket?—A. Well, yes; you could tell if you had noticed particularly; but I didn't notice very particularly.

Q. Did you keep any account at that time of the number they were voting?—A. I did not.

Q. How did you come to the conclusion that two hundred colored men voted the democratic ticket?—A. From the simple fact that I knew that all the whites, or at least nearly all, belonged to the democratic party, and that there was about that many white votes there and about that number of colored men voted there, and then the difference, as I supposed, may have been put in there by the colored men.

Q. That is the way you came to that conclusion?—A. Yes, sir.

Q. Whom have you heard speak of Rice's reputation for truth?—A. Well, I heard those gentlemen speak of it in a general way.

Q. Give the names of some persons whom you have heard speak of it.—A. I do not know that I—I have heard a number of men speak of it every time his name is brought up.

Q. I ask you to give the names of some persons whom you heard speak of it. If you can give them, do so; and if you cannot do so we will pass on to something else.—A. I do not remember.

Q. Whom have you heard speak of Rutherford's reputation for truth?—A. I do not remember any one in particular.

Q. Whom have you heard speak of Stewart's reputation for truth?—A. No one in particular; only just generally.

Q. I ask you to give the name of some one.—A. Well, I can recall to mind no one just now.

Q. Then can you give the name of any person whom you have heard speak of the reputation for truth of either Rice, Rutherford, or Stewart?—A. No, sir; I cannot.

Q. Have you ever heard any colored person speak of the reputation of either Rice, Rutherford, or Stewart for truth?—A. I do not know that I could; don't remember any one. I could not give the name of any one.

Q. Are the colored or white people in the majority in your county?—A. Well, there is about one hundred and fifty, I think, whites.

Q. Which has the most?—A. The colored men have about one hundred and fifty majority, I think.

Q. Is Rice a republican?—A. Yes; I think he is.

Q. Has he been quite an active republican politician for the year past?—A. Well, he has not been a leader; well, he has been.

Q. I did not ask you if he had been a leader; I asked you if he had been active.—A. Yes, sir; he has been active.

Q. Has Rutherford been an active politician for some years past?—A. No, sir; I do not think he has taken an active part in politics until this campaign.

Q. Has he during the last campaign been active?—A. Yes, sir; he was very active.

Q. Has Stewart been an active politician during the last campaign?—

A. Well, I do not know.

Q. Are you personally acquainted with Stewart?—A. I am not. I do not know him.

Q. How far do you reside from him?—A. I suppose it is some twenty or twenty-five miles.

Q. Did you ever hear any person residing in his neighborhood speak of his reputation for truth?—A. No, sir.

Q. And yet you swear that you know what his general reputation for truth, in the neighborhood where he lives, is?—A. I don't say about the neighborhood where he lives; he has a county reputation. He was the county commissioner, or something of that sort, and it was in reference to that that I spoke.

Q. Did you or did you not ever hear any person residing in his neighborhood speak of his reputation?—A. No, sir. I do not know that I ever heard any one residing immediately in his neighborhood; I can't call to mind now any one.

Q. You say you think the colored people are in a majority of about one hundred and fifty in your county?—A. Yes, sir.

Q. Do you mean voters?—A. Yes, sir.

Q. That is, there are about one hundred and fifty more voters among the colored people than among the whites?—A. Yes, sir; I think that is it.

TOM LOMAX—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

TOM LOMAX (colored) sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. I am going on twenty-six years old.

Q. Where do you live?—A. I live in Lowndesville.

Q. What is your business?—A. Farming.

Q. What political party do you belong to?—A. I belong to the democratic party.

Q. Where were you on the day of the last election?—A. I was at Lowndesville.

Q. What ticket did you vote on that day?—A. I voted the democratic ticket.

Q. Did anybody force you to do it?—A. No, sir.

Q. Did you belong to the democratic club there?—A. Yes, sir.

Q. Were you forced to join that?—A. No, sir.

Q. Did you join it of your own free will?—A. Yes, sir; of my own free will.

Q. State whether you saw any armed men at the poll that day?—A. Yes, sir; I saw two colored men come up to one of the polls; they had double-barreled shot-guns, and Burt Griffin, he had a pistol; the United States marshal, I believe, they called him.

Q. Did you see any white men have arms?—A. If they did have them they had them very close; I didn't see them.

Q. Have you ever been insulted or abused or ridiculed by colored republicans for being a democrat?—A. Yes, sir.

Q. State what was done to you.—A. I was riding out one day,

and they said, "O, you colored democrats; by the time we have done with you all they will have you in slavery. You are a pack of damned fools," and the women there, they said, "You can kiss my arse," and they flung their coats over their heads and commenced kicking up their legs and sticking them out at us, and I walked out without paying any attention.

Q. What did the colored women do, if anything?—A. They turned up their coats and told us to kiss their arse.

Q. Well, when was that?—A. I don't know exactly what time it was now. I never kept no particular account of it. It was a while before the election. It was about the same time that they had a big time speaking up at Lowndesville. It was about, I suppose, three weeks, or may be a month, or two months, I expect, before the election.

Q. Now, which was it, three weeks, a month, or two months?—A. I really couldn't state now about what time it was.

Q. How large a republican meeting was there?—A. Well, there was about between fifty and seventy-five men there, I reckon.

Q. Who were the speakers at that meeting?—A. Henry Heard was there for one, and Tom Heard, and they was looking for some white men from Abbeville. They said Mr. Tolbert would be there, Tom Tolbert.

Q. Well, who were there as speakers?—A. After them white folks came there, and told them to go to Lowndesville, they said, "We ain't going to have no meeting," being as the white folks were there, and they said, "We will put it off, and go home." The white folks said, "No, go on with your meeting, and we will stay here, if you won't go to ours," and we said, "No, we ain't going to have it to-day."

Q. So the colored people didn't have any speaking at that time?—A. No, sir.

Q. Were you there acting as a republican then?—A. O, yes, sir.

Q. When did you attend the republican meeting?—A. They held one over there at Hal Belcher's.

Q. How long was that after this meeting that you have spoken of?—A. Well, it was about a week and three or four days; somewhere along there.

Q. How large a meeting was that?—A. There was about twenty-five or thirty men there.

Q. Were you there?—A. Yes, sir.

Q. Were you republican then?—A. Yes, sir; I made a speech there that day myself.

Q. When did you attend the next republican meeting?—A. Well, we never held nary another one up in Lowndesville to my knowins—back in the country where I live—I live sort of away back on the other side of Lowndesville.

Q. Did you attend any more political meetings?—A. No, sir; I didn't attend no more.

Q. Have you ever been a candidate for any office?—A. No, sir.

Q. You never wanted any office, did you?—A. O, yes, sir; I would have liked to have got hold of one if I could.

Q. But the colored people would not give you any?—A. No; I never tried for nary one, because I didn't think I was capable of filling an office.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY:

Q. At that time, then, did you leave the republican party?—A. Well, I left the republican party up about—somewhere about a month before the election.

Q. Whose plantation was that you lived on?—A. James Lomax.

Q. You say he didn't live on it himself?—A. No, sir.

Q. And that all the people who lived on it were colored people?—A. Yes, sir.

Q. Did they also vote the democratic ticket?—A. No, sir.

Q. None of them?—A. None of them voted the straight-out democratic ticket. Some of them voted for Mr. Hampton, and that was all. There was three or four of them, I think, voted for Mr. Hampton.

Q. How many of them are there altogether on that plantation of colored people?—A. There is about—I could not tell how many there is.

Q. Colored voters, I mean.—A. Colored voters, about twenty, I reckon.

Q. How many of them voted for Hampton?—A. There was three of them voted for Mr. Hampton.

Q. Well, sir, they are all alive there yet, I suppose?—A. Yes, sir.

Q. Who was it persuaded you to go into the democratic party?—A. No one at all.

Q. Nobody?—A. No one did not.

Q. Well, sir, do you know that a good many of these colored people went into the democratic party because they could get their land better and get their employment more certainly if they went than if they went with the republicans?—A. No, sir; I never heard that mentioned at all.

Q. Who owns the land there? Are there no republican land-owners there?—A. Yes, sir; there is a man at Abbeville, Mr. John R. Tolbert, who owns a large plantation.

Q. What is he?—A. He is a republican.

Q. Most of the land-owners there are democrats, are they not?—A. Yes, sir.

Q. Most of the men of property are democrats, are they not?—A. O, yes, sir.

Q. The colored people look more to the democrats for employment than they do to the republicans?—A. Well, of course, they are living right there with the democrats. There ain't no republicans there got no land. They have got none there, as far as we is concerned.

Q. How do the democrats treat you?—A. They have always treated me splendidly.

Q. Especially since you joined them?—A. They treat me just like they always did—treat me well.

Q. Who did you see before you came here?—A. After I came here?

Q. Yes, who inquired of you what you were going to testify to?—A. Nobody, only when I came up-stairs there was a black man standing by the door, who asked me what did I want here, and I said I was sent for to come here, and he asked me for which side did I come, and I told him that they sent for me to come for something about the election, I didn't know exactly what. He says, "I know; you are a democrat." I says, "Why?" He says, "I know from the way you talk you are a democrat, and you just came here to swear against your own color." I said, "No, I didn't come here to swear against my own color; I came here to swear the truth. Do you believe if am put on my oath I would swear a lie?"

Q. Did he tell you what you could swear to?—A. This 'ere colored man down here, he axed me—

Q. You did not tell anybody else?—A. No, sir; nobody axed me anything else about it.

Q. Nobody took down any memorandum of your testimony before you came here?—A. None but this colored man out there.

Q. Have you not seen General Butler since you came here?—A. Yes, sir.

Q. Did he not ask you what you could swear to?—A. O, of course, when I went up-stairs.

Q. That is what I was talking about exactly.—A. I did not understand.

Q. Did he not take down a memorandum of what you could swear to?—A. He axed me what was my testimony, and I just—he didn't ax me no questions, only he axed me my testimony. He wanted to see what I knew about it, and I told him what I knewed about it myself.

Q. Is he the only one that you told what you could testify to?—A. Yes, sir; O, yes, sir, he was the onus one.

JERRY WHITLOCK—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

JERRY WHITLOCK (colored) sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Fifty.

Q. Where do you live?—A. I live down in Edgefield.

Q. Edgefield town?—A. Yes, sir; close in to Graniteville, at Mr. G. W. Turner's.

Q. What is your business?—A. Wagoning.

Q. You are a wagoner?—A. Yes, sir.

Q. Were you in Hamburg on the 4th of July last?—A. Yes, sir.

Q. State whether you observed anything more than ordinary among the colored people there, and if so, what it was.—A. No, sir; I was in Hamburg there Friday, and saw some people that gave me directions to my son's house, at Mr. Robert Butler's—was in there at the same time—

Q. What did they say to you?—A. They didn't say anything at all to me; they were in Hamburg; they were not talking to me; they were talking amongst one another.

Q. What were they talking about?—A. Well, they were talking about Mr. Henry Getzen had come in Hamburg there; and I was standing there to Mr. Nunberger's, and one of them made mention; says he, "There's the man where your son lives; if you will go to him he will tell you;" something or another about that; but I never went up to them. I thought he would stop talking to the crowd after a while, and I would see him. And some of them made mention, "That is Henry Getzen, now;" and says he to me, "I wonder what the hell he is after." And some of them made mention, "By God, he is after a row, and if he is after a row he can get it;" and they damned him. I went over to Mr. Getzen after a while, and said, "Is this Mr. Getzen?" He says, "Yes." I says, "Well, can you tell me where my son Jerry lives?" And says he, "You just take down that lane, and you will come to his house." I went over to Mr. Butler, and I inquired of him and told Mr. Butler about it, and he said, "Jerry will be here directly; I gave him some money, and he has gone over in Augusta."

Q. I did not ask you about that; I asked you about anything you heard these colored men say in Hamburg.—A. Yes, sir.

Q. Are you a democrat?—A. Yes, sir.

Q. Did anybody force you to be a democrat?—A. No, sir; no one.

Q. How came you to be a democrat?—A. I took that the first vote I ever cast in my life.

Q. Have you been proscribed by anybody because you were a democrat?—A. Yes, sir; I have been abused, and my family has been taken away from me.

Q. Tell us all about that; and why.—A. Well, at the first election in 1868, the first election, I think it was, all hung together and said that they was going republican. I said, "I believe I will go democrat," and I came home. Well, me and my wife was jawing and quarreling about it right smart. Says she, "If you ever do it again, I will leave you." "Well," I says, "I can't help that." Well, when the next election came round, Mr. John Wooley and Mr. Rivers and some more of them were speaking, and they mentioned in their speech, "Any of you that have got sweethearts or husbands that are democrats, quit them," says he.

Q. Who said that?—A. Mr. Rivers and John Wooley.

Q. Who is John Wooley?—A. A republican in Graniteville.

Q. Is Prince Rivers a trial-justice?—A. Yes, sir, I think he is; I have heard he was, but I never was inside of his office.

Q. He was the man that made the speech?—A. Yes, sir; and Mr. Wooley.

By Mr. CHRISTIANCY:

Q. Is Mr. Wooley colored?—A. A democrat.

Q. He told the negroes what?—A. "If any of you have got any democratic sweethearts, or democratic husbands, quit them; leave them right away, for you will all go into slavery the first of January."

Q. What did your wife do after that?—A. She left and went down to Mr. John Wooley's, there in Graniteville, and staid, and I was living just eight miles away from her. Mr. John Parmenter came over from there and told me to go down there; I didn't want to go down there; I thought I might get into trouble. She staid down there three months and five days, if I am not mistaken; I had three pretty good fat hogs in the pen, and I gave my father-in-law one to bring her back, and he went and could not get her to come back; and I went and gave her brother one of the hogs to go and bring her home. Well, she came, and she staid two weeks, and she turned the cow and calf out together, and left, saying that she wasn't going to live with me no longer; I was away from home and I came home the next night, and they told me what she said. Well, I gave the other hog to her brother to go and bring her home, and I told her I would quit what I was doing and go over and work on a farm and get her a place, and she came and staid with me a while; and she left me again and cleaned out my house, and I found out where she was at; she was at Hamburg, and she sent a man from Hamburg to tell me not to come there; that if I came there they would put me in the stocks and they had warrants out for me; she staid there two years. Well, when she left where she was, at Mr. Charles Turns, he took all she had for rent, and he had said he would take her down there and take care of her, and she should live on the republican party and have fifteen dollars a month, and should live in his house, and he would keep me away from her, and she went there and done it; and I kept away from her, and I have never been with her since.

Q. All that was because you were a democrat?—A. Yes, sir.

Q. Have you a nephew who is a democrat?—A. Yes, sir.

Q. Did his wife leave him?—A. Yes, sir.

Q. Because he was a democrat?—A. Yes, sir.

Q. Is that all you know?—A. Yes, sir.

By Mr. CAMERON:

Q. What reason did your wife give for leaving you, Jerry?—A. The reason that she gave for leaving me was because that I was parading with the white population. A good many of them told her she would be in slavery again. She thought she would go to where they told her; she would not be in slavery no more; she would move.

Q. Have you got another wife?—A. No, sir; I have got no other one.

Q. Can you not find a democratic colored woman down there who will have you?—A. I don't know as I want nary another one, for they might treat me that way, and I don't want to be treated that way again; I thought I would live without difficulty this time.

Q. Don't you think if you got a good democratic wife that she would behave herself?—A. Yes, sir; I reckon so.

Q. Do you not know any democratic colored women down in that vicinity?—A. Well, yes, sir; I know some few.

Q. Unmarried ones?—A. I don't know but two; one of my sisters and another lady in Graniteville.

Q. They are the only two you know?—A. Yes, sir; I believe they are.

Q. Is the other woman whom you have spoken of a married woman?—A. No, sir.

Q. She is unmarried?—A. Yes, sir—no, sir; she is not a married woman; she is single.

Q. Have you not some thoughts of shining up to her?—A. No, sir.

Q. Did you and your wife have any children?—A. Yes, sir.

Q. What became of them?—A. Well, two of them is at Massa Robert Butler's and the other one is at Ben Tillman's, and my daughter is at Mr. Gardner's. I have one daughter and three sons.

Q. Do you know whether the republican colored women have resolved not to breed by democratic negroes?—A. I do not know, sir, what the meaning is.

Q. Will not have any children by them?—A. Yes, sir.

Q. Who furnished you with employment mostly—democrats or republican?—A. Democrats.

Q. Between what places do you carry on your business, or do you carry it on generally around through the country, wherever you get a job?—A. No, sir; I am right in my own place, where I first commenced work. I have been wagoning seven years, and I wagoned first for Mr. John Parmenter, two years, and then I wagoned for Mr. George Turner for four years, and I worked awhile at Joe Willing's, on the farm, and then I went and tried wagoning again for Mr. Turner, and I worked awhile on the farm for another gentleman, and then I went back to work with Mr. George Turner, wagoning, again.

Q. Have you been employed by democrats all the time since the surrender?—A. All the time.

By Mr. MERRIMON:

Q. The republicans do not employ many people in this State, do they?—A. Well, not as far as I have been around; I don't know; I ain't seen many; I ain't been off nowhere, traveling—nowhere at all; only where I was bred and born.

JOHN LEE—AIKEN COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

JOHN LEE (colored) sworn and examined.

By Mr. MERRIMON:

Question. Where do you live?—Answer. Scholts Hill, Hamburg.

Q. What are you?—A. A ditcher.

Q. What political party do you belong to?—A. The democratic.

Q. Did anybody force you to join the democratic party?—A. No, sir.

Q. Did anybody intimidate you?—A. No, sir.

Q. You just did it because you wanted to?—A. Yes, sir.

Q. State whether anybody of your own color abused you for being a democrat.—A. Yes, sir; I was beaten that last week in town, in Hamburg.

Q. Who whipped you?—A. Tom Carroll, Bill Nelson, and Dan Martin.

Q. What did they beat you for?—A. Because I was a democrat.

Q. Do they live in Hamburg?—A. Yes, sir.

Q. Did they belong to Dock Adams's company, any of them?—A. Two of them, Tom Carroll and Dan Martin, does; Bill Anderson, he is—

Q. State whether at any time you saw any of Dock Adams's men—I mean those who belonged to his military company—going about with their guns, with the bayonets on them, when they were not mustering.—A. Yes, sir; I saw it very often here along through the summer, going about, passing my house twice or three times and back, with their guns, and rattling their bayonets on the palings as they passed along the street.

Q. Rattling their bayonets on the palings of the fence as they passed along the street?—A. Yes, sir; as they passed along.

Q. Where were you on the 8th of July last, the day of the riot in Hamburg?—A. Working in Hamburg.

Q. State whether you saw anything taken from the railroad-train on the day of the riot by any of Dock Adams's men, and, if you say yes, state what they did with it.—A. I never saw it on the day of the riot. I saw, on Thursday morning, before Mr. Schiller came here to Columbia—he left Hamburg on Wednesday, and I came back there Thursday morning—and there was a tin canister, about two foot high, I suppose, sir, and a foot and a half square. It was taken off the train the next morning by three of Dock Adams's company—three of his men—and taken to John Williams's house. I were working in Hamburg, at Mr. Davis's, a man that keeps a store there. A fellow that stays there, a porter in the store, he was one of them that took the canister. His name was Blunt. He said it was cartridges and bullets, and took some out of his pocket to show them to me.

Q. Who had the canister on the train there?—A. Mr. Schiller brought it down there.

Q. Did you see him?—A. I saw him get off the train, and I saw the tin canister taken off by these three men.

Q. Taken where?—A. To John Williams's house.

Q. Who is John Williams?—A. He used to be captain of a company there. I believe he goes by the name of colonel. He was sergeant-at-arms here at the time that Governor Moses was governor.

Q. Who is Louis Schiller, and what office does he hold?—A. He is a trial-justice, sir, or was at that time.

Q. Live in Hamburg?—A. Yes, sir.

Q. Was he a republican or a democrat?—A. He went by the name of a republican, sir.

Q. Do you know who carried the ammunition to the drill-room, or whether it was taken there?—A. Yes, sir; it was taken there on the day of the riot, on the 8th of July.

Q. Did you see it?—A. No, sir, I did not see it.

Q. Did any of Doc Adams's men tell you that they put it there?—A. Yes, sir; one of the members of the company.

Q. Who was he?—A. Tom Carroll, the one that beat me last week in Hamburg.

Q. He told you what?—A. He told me that the ammunition was carried in a basket; that Alfred Minyard carried two basketfuls, and Butler Edwards carried two basketfuls, and Dock Adams himself carried one, betwixt one and four o'clock that evening.

Q. Was there a public spring in Hamburg?—A. Yes, sir.

Q. What is it called?—A. Ben Spring.

Q. State anything you may know about persons being disturbed for drinking at that spring.—A. I know that country wagons was followed out of town for drinking out of that spring—I seen it myself—about a mile and a half from Hamburg, and made to pay fines.

By Mr. CAMERON:

Q. Did you see that yourself?—A. Yes, sir; I did.

Q. Did you see them pay the fines?—A. Yes, sir; I saw Jim Cook, the town marshal, he went out and arrested them, and made them pay five dollars costs and one dollar for the arrest, for drinking out of that spring.—I never seen the men drinking out of the spring, but I saw that money paid.

By Mr. MERRIMON:

Q. Have you seen the colored marshal arrest anybody for robbing?—A. Yes, sir.

Q. Who was the marshal?—A. Jim Cook; this same man arrested a colored man. A traveler came there one Saturday night, and this man lived out in the country about three miles.

By Mr. CHRISTIANCY:

Q. The colored man that he arrested?—A. Yes, sir; he lived out in the country about three miles, and he stole from this traveler.

Q. Do you know that?—A. Yes, sir.

Q. How did you know that he stole from the traveler?—A. This traveler missed the money, and this man was found with the money.

Q. How do you know that?—A. Jim Cook arrested him, and he gave up \$200, and he let him keep the other \$100, and he let him go over in Georgia.

Q. You saw all this yourself?—A. I never saw it, but I heard Jim Cook say so.

By Mr. MERRIMON:

Q. Jim Cook told you about it?—A. No, sir; this man told me about it first, and I asked Jim Cook, and he told me it was all right, but didn't say it wasn't so.

Q. The fellow was charged with stealing how much?—A. \$300.

Q. And Jim Cook arrested him?—A. He arrested him, and he told the man that if he would give him \$200 of the money he might keep the other \$100. That was what the man told me.

Q. The man that he arrested?—A. Yes, sir.

Q. What was his name?—A. I do not know what his name was; he was a stranger to me. Jim Cook offered me \$25 to catch the man, and I caught him; afterward he told me about how he had given Jim Cook \$200, and that Jim Cook let him keep the other money, and I spoke to Jim Cook, and he said, "It's all right; let him go."

Q. Did he pay you anything?—A. No, sir; he never paid me a cent.

Q. Did he promise to pay you anything?—A. Yes, sir; he promised to pay me \$25.

Q. State anything you may know about the robbing of graves on Scholts Hill.—A. Yes, sir; I know of graves being robbed there this year, and I seen a man that done it—Jake Samuels.

By Mr. CHRISTIANCY:

Q. Did you see them doing it?—A. No, sir; I never seen them doing it; they were took up about it, and they owned to it.

Q. Did you hear them confess it?—A. I heard Jake Samuels say that he was digging in the grave-yard. He was the head one of them—Jake Samuels, Jake Young, and Austin Hill.

Q. When was this?—A. It was along in the first part of spring; I forget whether it was in May or June or April; I can't recollect what time it was, but it was about six weeks before the Hamburg riot.

By Mr. MERRIMON:

Q. Did you see the graves there open?—A. Yes, sir.

Q. How many of them?—A. Twenty-one; and saw bones and hair; and it looked like it might have been white ladies' hair—long yellow hair; it was sort of decayed. I reckon it was a person's hair. I saw hair and saw a jaw-bone.

Q. You saw twenty-one graves that had been opened?—A. Yes, sir; twenty-one of them.

Q. You saw bones there?—A. Yes, sir; I saw bones there.

Q. And the hair of a lady?—A. Yes, sir.

Q. Long yellow hair?—A. Yes, sir; long yellow hair.

Q. Who did that?—A. Jake Samuels, Jake Young, and Austin Hill.

Q. State how you know that they were the ones that did it.—A. They were caught there.

By Mr. CHRISTIANCY:

Q. How do you know that they were caught there; did you catch them?—A. No, sir.

By Mr. MERRIMON:

Q. Do you know whether these men were punished for this?—A. No, sir; they were not punished at all; they were taken up before the council there, and they told them that if they would go back and fill the graves up they would let them off.

By Mr. CAMERON:

Q. Were you present when they were told that?—A. No, sir; I heard one of them say so. One of them told me that himself.

By Mr. MERRIMON:

Q. Which one was that?—A. Jake Samuels, the head one of them.

By Mr. CHRISTIANCY:

Q. What was it exactly that he told you?—A. I asked him about what did that case cost him, and he said it didn't cost him any more than the council let him off by going back and filling up the graves

that they dug open ; and they filled up some of them and some of them is not filled up yet, and there is some of them there now open ; I seen them no longer than Sunday.

Q. Were they arrested?—A. Yes, sir, and brought up before the council at Hamburgh.

Q. Was there a warrant issued for them?—A. I don't know whether there was any warrant issued for them or not ; but that is what he told me. He said they were brought before the council and turned loose to fill up the graves again, and they let them off and didn't charge them anything, if they would go back and fill up the graves.

By Mr. MERRIMON :

Q. State whether at any time you saw a man named Cook, the city marshal of Hamburgh, and Attaway, an officer of that company, take any money from a white man ; and, if you say yes, state the circumstances.—A. Yes, sir ; I seen a man going from there one day, and he drank at the Ben Spring and they fined him \$8 for it.

By Mr. CHRISTIANCY :

Q. Who fined him?—A. Jim Cook and Allen Attaway ; and he pulled out his money to pay it, and he had \$38, and they taken it all from him ; and he went to Rivers to have a warrant issued to arrest them.

By Mr. CAMERON :

Q. Did you go to Rivers with him?—A. No, sir. I heard Rivers say so myself. I saw them take the money from this man—\$38.

By Mr. MERRIMON :

Q. Do you know whether the white man applied to Rivers about it?—A. He went to Rivers and got a warrant for the man.

By Mr. CAMERON :

Q. How do you know that he did?—A. I heard Rivers say so.

By Mr. MERRIMON :

Q. When was that?—A. That was last February, along, I think, about the 10th.

Q. You do not know what the white man did, of your own knowledge, then, about it ; getting his money back?—A. No, sir.

Q. Do you know Doc Adams?—A. Yes, sir.

Q. Do you know what the people down there say about him?—A. They call him a mighty low-down man ; that is all I know.

Q. People generally?—A. Yes, sir.

Q. How do they regard him for truth?—A. There is nobody believes what he says, I don't think.

Q. Would you believe him on oath?—A. No, sir.

Q. Do you know Harry Mays?—A. Yes, sir.

Q. What do people generally say about him?—A. The same thing.

Q. Would you believe Harry Mays on oath?—A. No, sir.

Q. How long have you known Doc. Adams and Harry Mays?—A. Well, I have been knowing Harry Mays about seven years.

Q. How long have you known Doc. Adams?—A. I have been knowing Doc. Adams about four years.

Q. State whether you know anything about any wagons being robbed at Hamburgh ; and if so, tell us what you know about it.

Mr. CHRISTIANCY. What you know yourself ; not what you heard.

The WITNESS. There has been wagons robbed there.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY :

Q. Do you know that of your own knowledge?—A. No, sir.

Q. Do you live in the village of Hamburg?—A. Yes, sir; I live inside of the corporation.

Q. On what street do you live?—A. I live one mile from the bridge, up on the hill. Hamburg, you see, is down into the bottom like.

Q. You do not live down into the city part of the town?—A. No, sir.

Q. You live about a mile out?—A. A mile out; a mile from the bridge.

Q. You spoke about seeing men carrying arms by your house on some occasion?—A. Yes, sir.

Q. Going into drill and coming out, or something of that kind?—A. Yes, sir; going in there, and coming out home.

Q. Did they live out beyond you?—A. Yes, sir; they lived out in the country.

Q. You spoke about this can that was taken off the cars Thursday before this riot. Did you see Mr. Schiller have that at all?—A. I saw him get out of the train.

Q. I ask you this question: Did you see Mr. Schiller have that can at all?—A. No, sir; I never seen him have hold of it.

Q. Did you see him do anything with it at all?—A. I saw him going on with it when the men was toting it on to John Williams's house.

Q. He was walking along?—A. Yes, sir; he was walking along right behind them.

Q. That is all you know about it?—A. Yes, sir.

Q. Who did you ever hear say of Harry Mays that they would not believe him on oath?—A. Well, I have heard several people say so.

Q. Well, name them.—A. Well, I heard my brother say so, for one, Sam. J. Lee.

Q. When was that you heard him say that?—A. I heard him say so no longer than directly after the Hamburg riot.

Q. Just after the Hamburg riot?—A. Yes, sir.

Q. Well, who else?—A. I have heard Captain Ernim.

Q. Is Captain Ernim a white man or a colored man?—A. A white man—a trial justice.

Q. Is he a democrat?—A. No, sir; he don't go by that name.

Q. Is he a republican?—A. Yes, sir; he is a republican.

Q. Captain Ernim is a republican, is he?—A. Yes, sir.

Q. Does he live in Hamburg?—A. Yes, sir; he lives right on Scholt's hill, half-way betwixt where I live and the Augusta bridge.

Q. You are sure he is a republican?—A. Well, he calls himself one. I do not know whether he votes or not.

Q. A radical, is he?—A. Yes.

Q. Now, who else did you ever hear say that this Harry Mays was not to be believed on oath?—A. I do not know that I had heard any one else say so.

Q. Well, if you do not remember hearing any one else say so, then tell me when it was that this Captain Ernim said so?—A. Well, I have heard him say so two or three times. I have heard him say so not longer ago than—

Q. When was the last time you heard him say that?—A. Last fall.

Q. Where was that, and in whose presence?—A. There was several men in Captain Ernim's office when he said so. Dock O'Brien was one. There was a man there with O'Brien that I do not know. Dock O'Brien was a constable.

Q. About what time of the year was it?—A. Last fall.

Q. Some time last fall?—A. Yes, sir; I don't know what day or month it was.

Q. This was at Ernim's office?—A. Yes, sir.

Q. Who have you heard say—and in case you say you have heard any one, give us the names and time and place where you heard anybody say—that Dock Adams was not to be believed on oath?—A. Well, I heard a man in Augusta say that he would not believe Dock Adams on oath; a man he used to have some dealings with.

Q. Does Dock Adams live in Augusta?—A. That is his regular home.

Q. Does he not live in Hamburg?—A. I do not know which place he claims for a home. When I first knew him he lived in Augusta.

Q. But, now, for a year or two years past, has he not lived in Hamburg? Is that not his home?—A. Yes, sir; I believe he went back afterwards, and staid in Hamburg at night.

Q. Give us the name of somebody in this State that you heard say that he was not to be believed on oath.—A. I do not know—I don't believe I have heard anybody. Let me see—

Q. Well, you can say whether you have or not?—A. I don't recollect of hearing anybody over here on this side say so.

By Mr. CAMERON:

Q. You heard one man in Augusta say so?—A. I have heard two or three of them say so. I have heard Mr. Stallings say so; a man that keeps store on Broad street, in Augusta. Mr. Walker, shoemaker, where Dock Adams used to stay, in his shop—a colored man—that he would not believe Dock Adams on his oath.

By Mr. CHRISTIANCY:

Q. When was it you heard them say so?—A. I heard Walker say a year or two ago, before Dock Adams came over on this side, and I heard Mr. Stallings talking to him at the time of the riot. I heard him say he would not believe him on oath.

Q. When did you join the democratic party?—A. I joined the democratic party directly after the Hamburg riot.

Q. Can you tell the reason why you joined the democratic party?—A. Yes, sir.

Q. I will put the question in a different way. What principles do the democratic party support? In other words, what is a democrat?—A. A democrat?

Q. Yes; what is a democrat?—A. A man that votes the democratic ticket, I believe.

Q. What is the democratic ticket, then? What does the party support? What are the principles of the party?—A. The democratic party?

Q. Yes, sir?—A. I believe they go in for honest principles.

Q. Now, what principles and what measures do they support?—A. What do you mean, sir?

Q. What policy do they support—what particular policy?—A. I do not know hardly; they want honest government—that's all.

Q. That's all you know about it?—A. Yes, sir; I suppose so.

Q. How do you know the principles they support are honest?—A. We have got to try them and see.

Q. You do not know them yourself till you try them and see?—A. Well, I never could be with a man that mistreated me in my life.

Q. How do they treat you?—A. Always treated me mighty well.

Q. Treated you better than the republicans did?—A. Yes, sir.

Q. Well, it is certain you like them better, is it not?—A. Yes, sir; I think it is right to stick up to the party that keeps me up.

Q. What is your business?—A. Ditcher.

Q. Who gives you employment?—A. I get it of most any one.

Q. Who does it turn out to be—democrats mostly?—A. Democrats; yes, sir.

Q. They own the land mostly, do they not?—A. Yes, sir.

Q. Now is it not true, then, that you went with the democrats because they furnished you with employment, and you felt as if you ought to vote with them; and that is the reason, is it not, why you went with the democrats?—A. The reason that I voted with them?

Q. Yes, sir.—A. Yes, sir.

Q. Do you think that if you went against the democrats they would be likely to furnish you with employment? If you voted the radical ticket would they be as likely to furnish you employment and be kind to you?—A. Well, I do not know that they wouldn't furnish me any at all; they might furnish me with some, but I might not find it quite so plentiful.

By Mr. CAMERON:

Q. Have you ever been a radical candidate for office?—A. No, sir.

Q. It is your brother that was?—A. Yes, sir.

Q. Is he still a radical, or has he gone over to the democrats?—A. Well, I do not know how he is; I suppose he is still a radical yet, I reckon; I haven't seen him in some time to have any talk with him; not since the election.

Q. When did you first vote?—A. The first time, sir, was the second time that Governor Scott was elected.

Q. Were you a slave before the war?—A. No, sir.

Q. But you continued a radical up to the time of the Hamburg riot, did you not?—A. Well, I voted for Governor Scott and I voted for Governor Moses, and I never voted no more. All the voting I ever done after that was for the mayor in the town of Hamburg. I voted the democratic ticket after that, but it was only at the mayor's election.

Q. You stated a short time ago that you became a democrat shortly after the Hamburg riot?—A. I never voted when Governor Chamberlain was up, and I said I never would vote the republican ticket no more for governor. The Hamburg riot didn't make me turn democrat.

Q. Whom did you say that to?—A. I never said it to nobody; I only said it to myself.

By Mr. MERRIMON:

Q. You say that S. J. Lee was your brother?—A. Yes, sir.

Q. He was speaker of the house of representatives at one time, was he?—A. Yes, sir.

Q. Whether he is now a republican or not you do not know?—A. No, sir; I do not know.

Q. I will ask you, in reply to a question propounded to you a while ago, whether the republicans in this State have much ditching to do?—A. No, sir; not as I know of.

Q. The democrats support you and you support the democrats?—A. Yes, sir.

Q. You think it is a good party?—A. Yes; I do.

Q. Your understanding is that they advocate honest government?—A. Yes, sir.

Q. You had tried the radicals a long time?—A. Yes; I had tried them about five years, I reckon, and know about them.

VINCENT McKENNY—AIKEN COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

VINCENT McKENNY (colored) sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Fifty-four years of age; going on fifty-five.

Q. Where do you live?—A. I live within two miles of Hamburg on the Greenville road.

Q. Your business is that of a farmer?—A. Yes, sir; I am a farmer.

Q. State whether you have been to Hamburg much, and whether you have seen the colored militia there, as it is called, carrying their arms about when they were not on drill.—A. I have been about there more or less a great deal through Hamburg.

Q. For how long?—A. I have been living, sir, there for several years—for ten years.

By Mr. CHRISTIANCY:

Q. How far out from Hamburg do you live?—A. Just two miles from the Augusta bridge, exactly, to where I live.

By Mr. MERRIMON:

Q. State whether you have seen these men calling themselves militia marching about the town with the guns that were used for militia purposes.—A. I have seen them passing back and forward on the road where I live with their guns.

Q. Two miles from the town?—A. Yes, sir.

Q. Very often?—A. Some month or two before this Hamburg riot took place I seen them passing frequently. There was two that live the other side of where I live, and I saw them passing very near every week with their guns.

By Mr. CHRISTIANCY:

Q. Did they live out that way?—A. Yes, sir; they lived the other side of me, and belonged to that company. They would pass by my house every week. I seen them with their guns.

By Mr. MERRIMON:

Q. Have you ever seen them walking about the streets, at any time, in Hamburg with their guns, when they were not drilling?—A. No, sir; I did not see them walking about the streets particularly with their guns. I seen them pass my house, saying they were going on to Hamburg to drill. I was in there and seen them drill.

Q. Who is David Phillips?—A. Son of Richard Phillips.

Q. A white man or a colored man?—A. A colored man.

Q. Where did he live?—A. Well, he lived within about a mile and a half of Hamburg.

Q. Do you know whether he belonged to that militia company or not?—A. Yes, sir; he did.

Q. What did you hear him say upon any occasion?—A. On the first occasion I saw him with two or three guns and some of these cartridge-boxes on his arm; and some one made mention of it as he passed by him, what he was going to do with them.

By Mr. CHRISTIANCY:

Q. When was this?—A. I think it was in May, if I am not mistaken.

By Mr. MERRIMON:

Q. Last May?—A. I think it was in May; I do not know the day of the month, but some one made mention to him—I forget who it was now—what was he going to do with them arms, and he said that they were calling them in; that he was going to bring them into Columbia; and he went on to where he left them, or where he was going, I do not know. When he came back I asked him, “When are you going to Columbia with those guns?” He said, “We ain’t going to take them to Columbia.” I says, “What are you going to do with them, then?” He said, “We are going to fix them up and prepare for the election.”

Q. Are you a colored man?—A. Yes, sir.

Q. Were you a slave?—A. No, sir.

Q. Have you always been a free man?—A. Yes, sir.

Q. State whether you know anything about the digging up of graves, or the opening of graves, in Hamburgh.—A. I didn’t see no one digging nothing myself.

Q. Did you see the place where they had been dug open?—A. Yes, sir.

Q. How many of them?—A. Two or three; two, I think. I seen where they had been digging. I supposed—

Mr. CAMERON. No matter what you supposed.

Q. State whether you saw any bones or hair.—A. I did not see anything only a place where they had covered up.

Q. You did not see bones, or hair, or anything of that sort?—A. I did not see any bones or hair; I seen a place where they had covered them up again.

Q. To what political party do you belong?—A. The democratic party.

Q. State whether you had any connection with the democratic club during the last campaign?—A. I belonged to a democratic club.

Q. Were you president of it?—A. Yes, sir.

Q. Were you forced to be a democrat?—A. No, sir; not at all; by no means, whatever.

Q. You have always been a democrat?—A. That’s my principles, sir.

Q. How many colored men were in your club?—A. Some thirty-odd.

Q. Do you know whether any colored men were forced to join your club or not?—A. Nary one that I know of; there was nary one that was forced into it. I never would countenance such a thing as that. I think all went in of their own willing mind. I do not think there was no forcing nor threats.

Q. State anything that you heard Harry Mays say a week or so after the election about the election.—A. The next week after the election I heard him say that parties came to his house and broke up a portion of his things; that he was allowed to get a thousand dollars for the damage that was done in his house, if he could.

Q. Who is Harry Mays?—A. He is a colored man.

Q. Where does he live?—A. In Hamburgh.

Q. What is his business there?—A. I haven’t seen him doing any business at all more than keeping a gambling-house.

Q. Do you know his general reputation?—A. I have seen him doing nothing more than gambling; he keeps a gambling-house, sir.

Q. Do you know what the people generally think of him?—A. They consider him as such.

Q. What is his character for truth?—A. Well, I never have heard any of them say anything particular about his truth; I never had any dealings with him; I know that he is not a laboring man, but keeps a gambling-house.

Q. Would you believe Harry Mays on oath?

Mr. CAMERON. I object to that; he says he never has heard them speak of his reputation.

By Mr. MERRIMON:

Q. Do you know any other facts about this transaction, the Ham-burgh riot?—A. No, sir; I do not.

Q. You were not there at the time?—A. I was not there; I cannot tell anything more than what I saw.

CROSS-EXAMINED.

By Mr. CAMERON:

Q. Where did you last see David Phillips?—A. Well, the last time I seen David Phillips I suppose it must have been a day or two before the fracas occurred in Ham-burgh; I might have seen him that day; I don't recollect particularly whether I did see him or not; I didn't see him as he passed by there.

Q. I ask you when you saw him last?—A. I seen him during that week, before the fracas.

Q. Where did you see him?—A. In Ham-burgh.

Q. What was he doing?—A. Walking about in Ham-burgh.

Q. Who was with him?—A. I could not tell exactly who was with him; there was different parties that was associating with him.

Q. Can you give the names of any that were with him?—A. He staid there with George Williams.

Q. I did not ask you with whom he staid; who was with him when you saw him last?—A. I could not tell particularly.

Q. Tell me generally, then, if you cannot particularly.—A. I could not say.

Q. Can you give me the name of any one who was with him when you last saw him?—A. No, sir; not particularly.

Q. What do you mean by particularly?—A. I can't say which one it was exactly; there was a great many that he keeps company there with, and I could not say which ones it was particularly he was with.

Q. I ask you can you give the name of any person with whom he was in company when you last saw him.—A. I could not tell you exactly which one.

Q. When did you see him when you say he had guns in his hands; when was that?—A. That was in May when he was taking these guns.

Q. What time in May?—A. I do not know the day in May.

Q. Which way was he going, to Ham-burgh or from Ham-burgh?—A. He was carrying the arms toward what was said to be Spencer's ware-house; they were taking them up toward the corner, the way he was taking them.

Q. He was in the city of Ham-burgh, then?—A. Certainly.

Q. Who was with him at that time?—A. He was taking them by himself when I seen him.

Q. How many guns did he have in his arms?—A. I think he had two or three. I don't know which. He was taking them, and he had a good many cartridge-boxes on his arm, and he was going around the Sibly building, where he was taking them to.

Q. Did he understand at that time that you were a political friend of his?—A. I never had nothing agin him or he agin me.

Q. I was not asking you about that; did you both belong to the same political party at that time?—A. No, sir; I didn't belong to the democratic club at that particular time. I hadn't joined it particularly.

Q. You say you have always been a democrat?—A. Well, in principle; but I didn't vote.

Q. Well, what principles have you entertained so as to make you a democrat?—A. Because I had to go to the democrats to get what I needed—money and so on—and I thought it was nothing but right for me to vote for them.

Q. That is the reason you voted the democratic ticket?—A. Yes, sir; for I got nothing from the other party; but the democratic party they sustained me, and I went to them for help, and I got my best substance from them, and I went with that party. There was nothing I had gained from the opposite side at all.

Q. Did you vote the republican ticket last year?—A. No, sir.

Q. Did you the democratic ticket?—A. No, sir.

Q. Did you vote at all?—A. No, sir, I didn't.

Q. Did you ever vote the democratic ticket until this year?—A. I never did, sir.

Q. Did you ever vote the republican ticket?—A. I voted it at one time.

Q. When?—A. At the first election.

Q. What do you mean by the first election? There have been a great many elections in this country.—A. The first election since the surrender—since the radical party came in power.

Q. What year did you vote the republican ticket?—A. Well, it was just the first election, whatever year that was.

Q. Well, can you tell what year it was?

By Mr. MERRIMON:

Q. Can you tell who the candidate was?—A. Well, my half-brother, Sam Lee, was one candidate.

Q. Who was the candidate for governor?—A. Governor Scott.

By Mr. CAMERON:

Q. You voted for Scott, did you?—A. Yes, sir.

Q. You voted for your half-brother, Sam Lee, did you?—A. Yes, sir.

Q. Have the colored republicans in your vicinity, for some years past, recognized you as a democrat?—A. Yes, sir; they called me a democrat because I didn't vote; called me a democrat that time I didn't vote.

Q. Were they free at that time?—A. I voted no more until I voted with the democrats at the last election; they gave me that name of being a democrat all the time, and I never said nothing to the contrary.

Q. You say that May said that some parties broke up his house?—A. Yes, sir; on that night of the fracas at Hamburgh.

Q. Did he say whether they were white men or colored men that did it?—A. He said they were white men; he said a parcel of white men came in there.

Q. And what was he going to do about it?—A. He said he was going to try to make them pay him a thousand dollars for the damage, if he could.

Q. That is all he said about it?—A. That was principally what he said; he didn't call any one's name particularly, and didn't say any thing particular agin any particular one; didn't call no one's name that did the injury.

Q. You say he kept a gambling-shop?—A. Yes, sir.

Q. How do you know that; were you ever in it yourself?—A. No,

sir; I have not been in it, but I have seen other ones that said they was in there.

Q. You don't know, then, whether he kept a gambling-house or not, except what others told you?—A. Yes, sir; by others being in there; and I seen them going in there and out, and they said there was gambling in there in his house.

Q. You never were in his house?—A. I were never into it, for I am not a gambler myself. I never gambled in my life; do not know anything about gambling.

ALANSON M. RANDALL—RICHLAND COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

ALANSON M. RANDALL sworn and examined.

By Mr. MERRIMON:

Question. What is your profession?—Answer. I am an officer of the United States Army.

Q. Where are you now stationed?—A. At Columbia, South Carolina.

Q. State whether you were stationed at any point in South Carolina at the late election; and if you say yes, state where it was.—A. I was stationed at Edgefield Court-House, in Edgefield County.

Q. Give the committee to understand your observation of the election—the manner in which it was conducted—whether it was quiet, or whether anybody was deterred from voting; were you in command there at the time?—A. I was not. General Brannan was in command, and I was under his command.

Q. A negro named Jesse Jones has sworn that General Brannan did not do his duty on that occasion. State whether you were there and had any personal observation of the manner of conducting the election.—A. I was. I was with General Brannan the whole day of the election, acting in an official capacity as aid—that is, when he wished any communication made with outside parties he sent me, as I am an officer there with him, and I made personal observation and reported to him. I know he did his whole duty, answering every requisition that was properly made upon him for troops, and in some instances acting without such requisition.

Q. This same man Jones swears that many negroes at box number 2 were beaten over their heads with pistols and were driven away from the polls and not allowed to vote.—A. That is beyond my knowledge. I was not at that poll; but no such report was made to General Brannan during the day.

Q. You heard nothing of that during the day?—A. Nothing of it. There was one report that a negro had been hit over the head, but that was the only report to my recollection that was made during the day.

Q. If such had been the case would it have come under your observation?—A. I think it would. There were vague rumors, but nothing in any official reports.

Q. Have you knowledge that many hundreds of men were driven away from the polls and not allowed to vote?—A. On the contrary I saw everybody voting without question, and in a perfectly peaceful manner. There was considerable enthusiasm manifested by both parties, and occasional cheering, or what we term cheering; but they term it yells instead of cheers. I was at the polls on two different occasions, and I questioned both parties and eye-witnesses, and from what I wit-

nessed, the election was conducted in a quiet manner. I witnessed both parties going in and coming out. It appears that in the morning about seven o'clock there was some feeling on the part of the negroes in regard to the white men having possession of the polls, and I remarked to them, "You cannot all vote at once, and as soon as they get through you will vote." Then one darkey said to me that they had always had a chance heretofore, but there was no chance now. I told them if they would wait a short time they would all have a chance. Everything went along perfectly quiet, so far as I could see, and I was officially at the polls twice during the day. I was sent officially twice, and I passed the polling-place unofficially several times. The polling-box was within seventy-five yards of our quarters, and right under our observation all the time.

Q. This same man, Jesse Jones, said that the night before the election white men were around there shooting into republican houses; that Senator Cain's yard was crowded with people; and that the whites would ride around and shoot. Had you any observation of that sort?—

A. Nothing of the kind, to my knowledge. There was a little trouble the night after the election, but I don't know anything about it of my own personal knowledge; and if I stated it it would simply be hearsay.

Q. Where is General Brannan now?—A. He is at New London, Connecticut, in command of Fort Trumbull.

By Mr. CAMERON:

Q. How near were you to Senator Cain's house on the evening or night preceding the election?—A. About seventy yards. We were stopping at what is called the Tilghman House, and Senator Cain's house is on the block below, on the next street, diagonally opposite from the hotel, and about seventy-five yards distant.

Q. Did you go to his house that evening?—A. I passed his house several times during the evening.

Q. What time?—A. Well, I don't know the time. It was after dark. The barracks where the troops were stationed were some little distance off, but General Brannan's office was within twenty-five yards. We were going from the hotel to the barracks, and in doing so we passed directly in front of Senator Cain's house.

Q. What time did you retire to rest that night?—A. About twelve o'clock, I should think. I tried to rest. We retired, but did not get much rest.

Q. There was much noise?—A. O, yes, sir; by parties of both sides. They were running around on the night before the election, and a party of negroes passed there numbering from forty to fifty. We observed that while sitting out in front, and they cheered and yelled for Chamberlain. They don't cheer in this country. They don't know what that is, but the whites gave yells for Hampton. Parties were constantly coming in during the night. Some of these negroes were mounted and some were on foot, and they were singing campaign songs; and a large portion of them congregated around Senator Cain's house, which appeared to be the general rendezvous for the colored men.

Q. Did you hear any firing of guns during the night?—A. Yes, sir; I could simply hear shots, but I don't know any more than that in reference to it. There was no report made in reference to that.

Q. Were you at box No. 2 at all during the election?—A. No, sir; I was in Edgefield Court-House; I didn't leave the station at all.

Q. How far is the court-house from the place where box No. 2 was held?—A. About three-quarters of a mile.

Q. Then personally you know nothing of what occurred at box No. 2?—A. Only by hearsay.

Q. Do you know whether as a matter of fact, early in the morning the whites did surround the court-house, or, at least, the door of the court-house, and that they sat there upon their horses, wedged in very closely, so that it was almost impossible for a colored man to get through?

The WITNESS. At the court-house?

Mr. CAMERON. Yes.

A. No. At 7 o'clock, when I was there, Mr. Beattie, deputy marshal, reported to General Brannan that he anticipated trouble at the polls. He came to our room—we occupied the same room—and I volunteered to go and see about it. The deputy marshal was a very inefficient man, and did not appear to have any stamina about him; in fact, he acted very cowardly, and it was the general impression that he was not fitted for the place at all.

Q. There was nothing to frighten him at all?—A. It did not frighten me at all.

Q. You did not see anything to frighten him at all?—A. No, sir; I did not.

Q. Can you say that there was no occasion for a timid man to be afraid?—A. No, sir; however, some may be more easily frightened than others; some might be frightened and others might not. I went to the polls in compliance with General Brannan's instructions. The polling-place was inside the court-house, and the stairway leading up to the court-house was filled with men—principally whites, some few blacks. There were also a number of men drawn up in column at the foot of the stairs, and all the rest of the men were some distance off in an open space of some thirty or forty yards in a semicircle; around the steps, between the foot of the stairs and where these men were, I could see that there was a preponderance of blacks there at that time—at 7 o'clock. What was going on inside of the court-house, of course, was beyond my observation, but I presume it was voting. I conversed with several colored men, and also with several whites. As I stated before, the colored men seemed to have considerable feeling on account of the fact that the white men were voting first. I answered them, "You wait awhile and you will get your chance." I saw General Butler, who was a prominent man there, and conversed with him, taking him aside to do so. I asked him what was the trouble. He said there was not a particle of trouble, but that the colored men appeared to be very much annoyed. I don't know that that was his expression, but that was the idea I derived—that the whites had taken possession of the polls. Heretofore the negroes have always had possession of the polls first, and he said to me, "Now they are mad because they haven't it this time." Then as I passed back, I said to several others, when they told me that they were not getting a chance to vote, "Why don't you go down to the other poll?"

Q. What prominent republican did you call upon and have a conversation during the day?—A. I didn't call any one aside; not being a partisan, I did not recognize General Butler or any of them as democrats. I was directed to go to General Butler, as he was a prominent man.

Q. By whom were you directed to go to General Butler?—A. By General Brannan.

Q. As a matter of fact you knew at that time that General Butler was a prominent democratic leader?—A. Yes, sir, I did.

Q. But you called no prominent republican aside or had any conversation with him?—A. No, sir; I don't know any prominent republican.

Q. I asked you as a matter of fact whether you did?—A. No, sir; I did not.

Q. Did you know Senator Cain at that time?—A. No, sir, I did not; he was pointed out to me as Senator Cain, and I saw him several times during the day, but I had no acquaintance with him.

Q. General Brannan did not direct you to go to any prominent republican to have any private conversation with him?—A. No, sir; he did not.

Q. But he did ask you to go and have a conversation with General Butler?—A. I was directed to see General Butler and ascertain if there was any trouble. There was a report brought to headquarters that there was trouble at the lower precinct, but no application had been made for troops. I think it was brought by Senator Cain himself, but no application was made by a deputy marshal for any assistance from the troops at that time. Shortly afterward there was. General Brannan said to me, "Go up and see General Butler and see, if you please, what is the trouble below."

Q. Who made application for troops?—A. The deputy marshal from Pedee.

Q. He was a republican?—A. I do not know what his politics were. I presume that he was deputy marshal.

Q. And your instructions from the commanding officer were to the effect that, when a deputy marshal made application for troops, to investigate and ascertain what the trouble was?—A. Yes, sir; the troops were sent in accordance with the request of the deputy marshal.

Q. What is your rank in the Army?—A. Captain, First Artillery, and brevet colonel, U. S. A.

By Mr. MERRIMON:

Q. I understood you to say that General Brannan, as you know by your personal observation and association with him that day as acting aide, responded to all calls made upon him?—A. Every one. I refer to the calls made upon him that were properly made. He could not obey all requisitions of private citizens, but all proper calls he did.

Q. From your knowledge of elections, was there anything extraordinary at that election?—A. There was considerable excitement. I have never been present at elections since 1854, except this one and in New Orleans. I was in New Orleans in 1874-'75; I was in charge of the State-house there. But the last election I witnessed was much more turbulent than this one. It was during the know-nothing and democratic excitement. I was a youngster in New York City at the time. So that my knowledge of elections has been very limited since I have been in the Army.

Q. Did you see anything that would deter any man from going to vote?

[Objected to by Mr. Cameron, and objection sustained.]

Q. I ask you whether you had an opportunity to observe that day, and if you did observe, any person who was deterred from voting?—A. I did not, sir. My opportunities were full and ample.

By Mr. CAMERON:

Q. At one poll only?—A. At one poll. I know nothing of the other poll.

Q. Do you know, as a matter of fact, how many colored people voted

at poll No. 1?—A. No, sir; I do not. I was not inside of the court-house at all.

Q. Did you see any colored persons there that day?—A. I saw them going toward the polls, and in a column. What they did after they got to the court-house is beyond my knowledge. I saw them go into the court-house.

Q. Into the court-room?—A. I can state that from hearsay.

Q. You need not state from hearsay.—A. From the report of an Army officer made to General Brannan; Major Kline was sent in the afternoon.

Q. How many colored persons did you see go into the court-room on that day, as nearly as you can estimate the number?—A. I do not know; perhaps half a dozen. I saw the deputy marshal, Mr. Beattie, take about half a dozen in the afternoon and go and vote. He took them up to the polls. He was sent there to see that there was no obstruction in the voting. They went up to vote, but I do not know whether they voted or not. They passed inside the court-house. In the morning I saw, I should think, sandwiched in there with the white men on the staircase, four or five colored men probably, and down at the foot of the stairs probably fifteen or twenty; but what they were there for I do not know.

Q. Then, as a matter of fact, you do not know whether any colored man voted or not?—A. Only that they passed inside of the door. There were officers who were stationed inside who can testify as to that.

M. C. BUTLER—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

M. C. BUTLER sworn and examined.

By Mr. MERRIMON:

Question. State your age, your place of residence, your business, and with what political party you affiliate.—Answer. I am forty years of age; I live in Edgefield Court-House; I am a lawyer by profession, a planter also, and I belong to the democratic party.

Q. State whether you took any part in the late political campaign in this State, and if you say yes, give the committee to understand the manner of conducting the same, and its temper and spirit, so far as it came under your observation.—A. I was one of the canvassers, I suppose, in the State in behalf of the democracy. I made several speeches in my own county; I can't say exactly how many. I made a speech at Greenville in this State, one at Marion, one at Lexington, and one at Winnsborough, in Fairfield County. Those are the points that I visited in connection with my canvass on behalf of the democracy. Of course in my own county I was quite active in aid of the democracy. I do not exactly understand what the purport of your question is as to the spirit of the canvass.

Q. Was it peaceable, and were there any special grounds for a peaceful policy in this State?—A. That was my understanding of it wherever I went. I certainly used no other argument, and I heard of none being used. I think it was the general policy of those who were running on the ticket to use persuasive measures and produce a change in the republican party if possible. That was the general tenor and purpose of the campaign, I think.

Q. How were the white people affected politically? Were they all democrats, or were they divided?—A. I think they were almost entirely democrats.

Q. The main object then, I suppose, was to win over the negro vote?—A. Yes, sir. Wherever I went in company with General Hampton I found that to be the case, and even when I was not with him I know it was the purpose of other canvassers to get access to the colored people with their arguments, and I remember of seeing General Hampton on two occasions, at Winnsborough and Edgefield Court-House especially. His plan was generally to request the white people in front of the stand to give way in front and make room for the colored people to come up, in order that he might reach them with his speech, and I think that was very generally done. I know at Greenville, where I went to make a speech, Mr. Moise was candidate for adjutant and inspector general, and the citizens there seemed to be very anxious indeed that we should reach the colored people, and we requested those sitting in front of the stand to move their seats in order that the colored people might be allowed to come in and take those seats, so that they could hear, which was done. A number of the leading citizens, I remember, were sent out to invite them in, and they were given front seats.

At Edgefield Court-House I was requested by the chairman of the democratic executive committee to act as chief marshal for the purpose of preserving order, and I was requested to make that arrangement there. I did not do it. I thought that they ought to come in and take their seats in the crowd with the balance of the people, and I made no such arrangement. In the main, however, that was the plan pursued wherever I went, and the purpose on the part of all the democratic speakers appeared to be to get access to the colored people. It was pretty generally, as we knew, the policy of the republican leaders not to allow them to come and hear us, and hence it was that there was such an anxiety. We thought perhaps in that way we might reach the negroes and persuade them to attend our meetings.

Q. Do you know of any purpose, plan, or policy to intimidate the negroes or force them by any means to vote the democratic ticket?—A. Not within my knowledge. I do not know of any such purpose. I know that exactly the opposite was the case.

Q. You may state anything that you may know, specially, about the campaign in your own county. Did you attend any meeting there?—A. There has been a good deal said in reference to one meeting that I should like to refer to—when Governor Chamberlain came to Edgefield. I have been made rather conspicuous in the newspapers by Governor Chamberlain, and I should like to state what I did do there.

Governor Chamberlain came there. I presume it was one of his regular appointments. We understood in Edgefield that the State committees of the two parties had made some arrangement by which there might be a division of time. We consequently sent a committee to the committee of the republican party in Edgefield to ask them for a division of time, and it was declined after a certain time. We, however, went over and attended the republican meeting at the academy, I suppose about half a mile from the court-house, and went upon the stand with Governor Chamberlain and Judge Mackey. The proposition was then and there renewed to Governor Chamberlain, who consented to have a division of time, and himself proposed that each of us should occupy a half-hour, to which those of us on the side of the democrats assented. It was then agreed that Governor Chamberlain should open the debate; that I should follow him; that Judge Mackey

should follow me, and General Gary should follow him, &c. Governor Chamberlain did speak his half-hour out, and was subjected to a great many questions, some of them, I have no doubt, very annoying to him; not more annoying, though, I think, than most politicians have been subjected to. I have been very often, I know, in a canvass I made in South Carolina once. When I got upon the stand I found quite a number present, perhaps a thousand or twelve hundred white men, and I saw, perhaps, fifteen hundred or two thousand negroes. I got up and appealed to the white men, and told them that Edgely had a reputation for being turbulent, violent, &c., and I hoped that they would conduct themselves in such a manner as to contradict this charge. It seemed to me that everybody was in a good humor. They were laughing, and put a good many hard questions to Governor Chamberlain.

It has been alleged that in my reply to him I was extremely bitter. Well, I expect I was. I confess very frankly that I felt bitterly. He had, I thought, treated me very shamefully in his report of the Ham-burgh matter, and I felt bitterly, and I suppose I did use pretty bitter language. I said in the outset of my remarks, however, that with Governor Chamberlain's personal character I had nothing to do; but as a citizen I thought I had a right to speak, and I should take the liberty to do so. I think I confined myself to legitimate argument on that occasion, except on that one point. I said, "I see sitting in that wagon Congressman Smalls; he represents the Beaufort district in the Congress of the United States. He has seen fit upon the floor of Congress to assault me, and to represent me as a leader of riots, irregularities, &c., in South Carolina, and Governor Chamberlain has done the same; and I now demand that they shall get up and make good that charge before this large crowd of their own political party, or stand confessed before the world as public liars." I did say that. That was pretty harsh, I admit. I felt bitterly, and I feel bitterly toward them now. That was about as far as I said anything personally, and that was simply a personal matter between Chamberlain and myself.

After I had finished my speech Judge Mackey replied to me. He was frequently interrupted, and it has been reported that the white men crowded the negroes away from the stand. That is not true. The negroes came up in front of the stand and the white people went around to the rear.

He spoke his half-hour out, and General Gary replied to him. General Gary was pretty severe upon Governor Chamberlain—very severe. It has been reported that he called him a damned bald-headed scoundrel, which is not true. He used no such language as that. After he had concluded, Judge Mackey felt called upon to vindicate himself and friends, I presume, and for that purpose he replied. We had all made our speeches, and I suppose it was not right for me to reply, but I got up and asked the privilege, and they allowed me to go on; and then a reply was made to that, and a running debate was kept up between Judge Mackey and myself for I do not know how long; and I think this Mr. Sheppard also spoke.

Governor Chamberlain left the stand and went off, and most of the negroes went with him. Judge Mackey went after a while, and the next place I saw him was over on the public square, half a mile off, making a speech to the democracy. Some little badinage passed between myself and himself, and Mr. Chamberlain left the town that evening and came back to Columbia.

There was another republican meeting there somewhat later, I think, at which quite a number of democrats were in attendance; he had come

into town, and they had a meeting of the democracy over on the public square. Those were the only two noticeable events that I remember during the canvass.

Q. Where were you on the day of the election?—A. I was at Edgefield Court-House.

Q. What was your observation of the manner of conducting the election there; state whether force and violence were manifested towards the colored people, or whether they were deprived of the right to vote in any way, to your knowledge?—A. I live off a mile from the village, on the road leading to Columbia. I got down to the village about half past six or seven o'clock. The polls had been open for some time, and the white people were in possession of the polls when I got there. After staying about some little time on the square, the first incident I remember was Colonel Randall, of the United States Army, coming up to me and saying that the deputy United States marshal had reported that the polls were obstructed; that the negroes were not allowed to vote. I said I had no knowledge of any obstruction. I said, "You can see for yourself." I was standing then, I suppose, about thirty steps from the foot of the court-house steps, which are fifteen or twenty feet high. The white men were occupying the entire space of those steps, and at the door of the court-house only so many were allowed to go in at a time. I saw no obstruction; I had heard no complaint from the managers, and I said, "You can see that the voters are passing in and voting and coming out." He looked, and said he saw no obstruction, and went back to headquarters, and, I presume, reported to General Brannan. While standing there, I told him that I thought the real cause of complaint was, that the negroes had heretofore generally been in possession of the polls, and kept them until one or two o'clock, but that on this occasion the white people had resolved to vote, and had got possession of the polls and proposed to keep them until they got through voting.

I was back and forth from that precinct to box No. 2, (which was perhaps a half a mile away,) at which there was a company of soldiers stationed under command of Captain Kellogg. There was a slight disturbance at that box. Fortunately I arrived in time to suppress that. The first indication of violence was a negro man having a pistol and making some demonstrations, and I rode up to him and ordered him to put up his pistol. This melee caused some considerable excitement for a few moments, and there were some demonstrations, but I appealed to both parties and begged them not to have any disturbance, and the negro was arrested and carried off. Not long after that, a company of soldiers came up there to box No. 1, and when I got back there I found the soldiers had arrived, and I found Lieutenant Hoyt in charge of the front door of the entrance. There was a line of sentinels around in front, and they frequently had to use their bayonets to keep back these people from crowding into the door. I walked into the arena and suggested to the lieutenant that he did not have sentinels enough to keep the people back; that I thought perhaps he had better open an avenue from the door to the fence just opposite, and he wanted a couple more sentinels for that. He sent off to Captain Kellogg and did get more sentinels. They were posted and an avenue opened; and from that time the voting was continued by allowing six or eight or ten men to come in at a time, as they were wanted by the managers. These men were selected by one of the officers on duty at the time. The point of egress was through the window, where there were two sentinels posted. There was a large crowd of colored people who went up to that poll,

and, in fact, all of them left precinct No. 1 to the white people in the main, and I should say that there were perhaps from five to six hundred who did not get an opportunity to vote—not that there was a purpose on the part of the soldiers or the democrats to prevent it, but it was simply a physical impossibility for them to do so. They could not have voted in the nature of things.

Afterward, in the evening, the crowd came into town for the purpose of voting at precinct No. 1, about half past four; but they did not do so. I am told that some witnesses, Jesse Jones and some others, say that they were prevented from doing so. If there was anybody prevented them, I do not know it. On the contrary, I appealed to them and told them if they wanted to go and vote I would go with them. I recognized two negroes who did attempt it. With the exception of the noise, shouting, and so on, which generally pertains to elections, especially when there is as much excitement as we had, I saw nothing unusual. I saw nobody intimidated, and I saw nobody attempt to frighten anybody.

Q. Jesse Jones has sworn before this committee that you said to the white people, in his presence, that "We have just outwitted them this time." State whether you made any such remark.—A. I have no recollection of having made any such remark, and I do not think it possible that I did. There was nobody present at the only time I could possibly have made such a remark, which was in this interview between Colonel Randall and myself, and I have just stated that. We were entirely alone, and I don't remember that there was anybody within fifteen steps of us.

Q. Do you know Jesse Jones?—A. Yes, sir.

Q. Do you know his general reputation?—A. I think I do.

Q. Is it bad for truth?—A. I think it is bad; I know it is bad.

Q. Would you believe him on oath?—A. I could not, sir.

Q. Harrison N. Bowie swore before this committee that on one occasion you said, in a speech, that P. Simpkins and L. Cain would be killed if they did not desist from their course as radical rascals. I ask you whether you made any such speech as that or any such remark?—A. I did not. If I mentioned Bowie's name during the campaign I certainly have no recollection of it. I am not so stupid as to threaten to kill him.

Q. I ask you whether you ever threatened to kill Bowie, or Simpkins, or Cain, or said in any speech that you knew they would be killed?—A. I never said any such thing; I never used any such expression. He refers in his evidence to a remark I made on that occasion, when Chamberlain was there, and says I said there would not be a republican in Edgefield after this election. Well, I said jocularly to those people who were in front, in a pleasant way, that I thought it would be very difficult to find a man who would admit that he was a republican in Edgefield, because we would beat them so badly—in that sense. It was said in a jocular way, and I don't know that I intimidated any one by it.

Q. Do you know Harrison N. Bowie?—A. Yes.

Q. Do you know his general reputation?—A. I think I do.

Q. What is it?—A. Bad.

Q. Bad for what?—A. Bad for truth. I must do Bowie this justice, to say that I do not think he is as notorious a liar as Jesse Jones. I think perhaps he is a man of better character in that respect than Jesse Jones; but I happen to have some personal knowledge of Jesse's facility in that respect myself. However, that does not constitute evidence of general character.

Q. I ask you now if you know anything of what is commonly called the Hamburg riot, which transpired in July last, at the town of Hamburg, in this State; and if you say yes, give the committee to understand all you know about it within your own knowledge, or any fact you may have derived from any negro connected with it.—A. I am very happy, indeed, to have the opportunity to do so. There has been so much said about it, so many misstatements have been made, so much bitterness exhibited by the partisan newspapers, that I am very happy in having an opportunity to be able to put upon record, before a tribunal of this kind, my testimony, under oath, in reference to it.

The first knowledge I had of the Hamburg matter was communicated to me by Col. Thomas P. Shaw, at Edgefield Court-House. This difficulty occurred on Saturday, the 8th of July. On Friday evening, the 7th of July, Col. Shaw, with his brother, the Rev. William Shaw, came to Edgefield Court-House to confer with me upon some professional business, together with Mr. Norris and Mr. Addison, which business, I presume, it is unnecessary to mention. At any rate, they came upon professional business with me. After getting through with the business in Mr. Norris's office, Colonel Shaw said to me that Mr. Robert J. Butler desired me to be in Hamburg at four o'clock the next evening, to represent himself and his son-in-law in a trial there.

Q. I will ask you right here if you are any relation to Robert J. Butler who sent for you on that occasion?—A. None at all.

Q. Are you any relation to A. P. Butler, who has been examined here to-day?—A. None at all.

Q. He belongs to a different family entirely?—A. Yes; Colonel Shaw even went so far as to say that Mr. Butler mentioned the fee of \$25. He said that if I would come down there the following day he would pay me \$25. I said to Colonel Shaw that he might say to Mr. Butler that as at present advised I should go if I could get any conveyance, as the time for the train had already passed. Well, I did succeed, about nine o'clock the next morning, in getting a buggy, and I hitched my horse to it and went. I heard from Colonel Shaw that there had been some disturbance at Hamburg between these young men and the negroes, but the character of it he did not know. I took the buggy and left Edgefield, I suppose, about nine o'clock. The weather was very hot, and after reaching a point about seven miles from the village I met Dr. George Wise coming down the hill just as I reached what is known as Horse Creek. He asked me if I had heard the news from Hamburg—

[Mr. Christiancy objected to the conversation between witness and Dr. Wise.]

The WITNESS. Mr. Chairman, I would like to have the matter definitely understood as to what testimony I may be allowed to give. I have seen the evidence given by these negroes and other people with reference to myself, and it seems to me that there was no limit to the statements that they made when they felt called upon to malign and traduce my character; and I think it would be a very great hardship if I, in vindicating myself, should be restricted to the rules of evidence.

Mr. CAMERON. It has been our endeavor from the beginning to restrict them within the rules of evidence. Sometimes witnesses have departed from that rule and made statements before we could stop them, but it has been the endeavor of the committee to hold every witness as nearly as possible to the rules of evidence.

The WITNESS. If that has been your purpose, I must say that it seems to me that the committee has failed most consummately in doing it;

because I have read Doc Adams testimony, and he has stated what he has heard, and the messages that I sent and the messages that he sent. I simply say this in justice to myself.

Mr. CAMERON. That was in the matter of the negotiations that were carried on.

The WITNESS. No, sir; however, I do not propose to argue that point with the committee. I will simply state, then that I do not want to transgress any of the rules, and I shall not do it if I know it. I think it my duty, however, to say that I have nothing whatever to conceal about this matter, and I would like that fact to go upon record. I want the entire statement brought forth, if it can be. I want it in all its deformities, if there are any. I want the truth, and nothing but the truth. It did occur to me in looking over the evidence that great latitude had been given these people in maligning my character, which was, I thought, unjustifiable. I simply state this, that I heard on the highway that the rumor had been circulated in the country that these two young men were to be mobbed by the negroes. The report that this gentleman gave to me was that they were not convicted at this trial, and he had heard that they were to be mobbed, and that there was a great deal of excitement in the country about it. I proceeded on the way to Hamburg, and I suppose I got within five or six miles of the place, when I saw two or three men preparing to go to Hamburg; and proceeding further I saw perhaps eight or ten more, by whom I was joined. I got as far as Summer Hill, and there I requested that these gentlemen should remain. I think it was about two o'clock when I got there.

By Mr. MERRIMON:

Q. Who were with you?—A. Five or six persons, who came along with me when I was on the road. I went into Hamburg in my buggy alone. As I passed down the main road leading from Edgefield to Hamburg I passed the house of this young man Henry Getzen. He was sitting out in his porch, and I called to him from the road and begged him to go across the field to his father-in-law's, Mr. Robert J. Butler's, who lived on the Martintown road, and say that I was on my way to Hamburg, and that I wished him to meet me in town. I went on and drove up to the store of Mr. George Damm, which is the first store that I reached going into town. I think he was the only person that I saw there at that time. I told him that my horse was very much fatigued, that the weather was very hot, and asked that my horse might be fed. I think it must have been between two and three o'clock then in the afternoon. He said he had no oats to feed him, but would go and get some. I told him no; to water him or something of that kind, and I went into the store. I had been there, I suppose, five or six minutes, when Mr. Robert J. Butler came in.

Q. State who was with him and how he came there.—A. He came there in his buggy. I think his son, Tommy Butler, came in with him on horseback. He came in in a buggy, with a little negro boy.

Q. How were they armed?—A. I didn't see any arms on Mr. Robert Butler at all. Young Tommy Butler had a carbine on his horse, and perhaps a pistol. I dare say Robert Butler had a pistol, but I didn't see it. I said "I want you to let me know what is the matter; what is this trouble about?" Mr. Robert Butler sat down and gave me an account of the collision that had occurred between his son-in-law and son and this company of militia. After he had given me an account of it, he said that this man Rivers had appointed four o'clock to have the matter investigated; but he said "I want you to get in the buggy and

go up and see the ground yourself with me." I did get in the buggy, and went up with him and surveyed the point at which it was reported that the company had met these two young men—the well, ditch, &c.—and after looking at it we came back to Mr. Damm's.

When passing along the center of the street to get into this street that runs along the river I saw Mr. Butler standing in the door; I saw Tommy for the last time, I think, until here the other day I saw him in Columbia. As I came back Mr. Sparnick, a lawyer from Aiken and judge of probate, was reported to me to be in town and I requested Mr. Getzen to go up and see him and bring him down to Mr. Damm's store. He went, and Sparnick came back and appeared to be very anxious about this thing; said he hoped some measures would be adopted to put a stop to it. I told him that I was certainly very anxious indeed that there should be; and there was some conversation of a general character. I then said to him, "Now Mr. Sparnick, I see that there are a great many negroes in town and there is a good deal of excitement in the country, and if a collision does take place, which is certainly to be deprecated, I cannot undertake to be responsible for it." He then said to me, "Suppose I go up, see these people, and bring them down and have a conference." In the mean time a negro man, by the name of Sam. Spencer, a leading republican there—I was eating some lunch which Robert Butler had brought in his buggy in a basket. I had asked for some dinner, being very hungry, and I got the lunch and took it into the back part of Mr. Damm's place, and just as I got there Spencer came in and said, "I would like to see you on private business." I went into a back room and had a talk with Spencer, and he said he thought if we could have a conference with the officers of the company it could be settled. I said certainly, I would be very glad to see them; that Mr. Sparnick had gone up to see them now. He said, "I think they have some objection to coming here now." Mr. Damm said, "Why? I don't see any reason why." Spencer said they were afraid of the armed men. I said, "I see no armed men here. Mr. Robert Butler himself is here, and his son Thomas is here," and I think his other son Harrison had come, and perhaps Henry Getzen. "I don't see any danger in their coming, but if there is any objection I am perfectly willing to meet them there." Spencer said, "Are you willing to meet them at my house?" I said, "Certainly." He said, "I will go up and bring them down." I said, "Very well." His house was very near to Damm's store; I didn't know at the time where it was. Spencer went off and did not return. The hour for the trial, four o'clock, approached. I waited, I suppose, a half-hour or three-quarters, for Sparnick and himself to come back. In the mean time these colored people would pass this door that I was in and hawk at me and scrape their feet on the sidewalk, and do a great many things that were disgusting, but I had made up my mind not to get into a bad humor about it, and took no notice of it. I got into the buggy and went down to Rivers's office, and as we rode up to the door this man, who was afterward said to be Rivers's constable, by the name of Ben. Nelson, was sitting up in the door with his feet on the door-facing. Mr. Butler spoke and said to him, "Nelson, is the trial-justice in?" He said, "No, he isn't in." Butler said, "I would be glad if you would go around and say to him that I have my counsel, General Butler, here." Nelson said, "No, I am not going to do any such thing; Mr. Rivers told me to stay here." His manner was extremely offensive and entirely unjustifiable by any conduct on my part or any interference. I think, however, that I should state that pending this the Rev. Mr. Mealing and Dr. Shaw drove up in

a buggy, and that was the crowd that was around Judge Rivers's office—Dr. Shaw, Mr. Mealing, Henry Getzen, (Robert J. Butler's son-in-law,) and Tommy Butler and myself and Mr. Robert J. Butler. There was a crowd of negroes assembled there. I got out of my buggy and walked to the door and said very quietly to Nelson, "Is the trial-justice here? I have come here as counsel for these people, and I would like to see him." He still sat there with his feet upon the facing of the door fanning himself very offensively. He said, "No." I said, "Will you go and see him and tell him that I have come to have this matter investigated?" He said, "No, I am not going to do any such thing;" and then I did lose my patience and my temper both, and spoke to him in a manner very much more graphic than polite. I told him to get out of that chair and give it to me. He said, "No," there was a chair for lawyers. I said, "No, sir, I want this one and I intend to have it." After a while he got up and said, "You can shoot me." I said, "No, I have no such purpose." I then walked out and went and got in the buggy again, and Mr. Butler then said to me, "There is General Rivers's private secretary," I think he called him—a black man by the name of Edwards—"and if you will speak to him I think he will go to see Rivers." I said, "No, I am not going to do any such thing; I do not propose to speak to him again, because I do not propose to be insulted. You can do so if you choose," and he did speak to him. He went off and brought Rivers. I got out of the buggy again and went into the office. Just at this juncture I want to make another statement in connection with that.

After I had been there about an hour I saw that these people meant mischief, as I thought. I could see no occasion for this demonstration or insubordination on their part, and thinking that lawlessness might prevail, I sent across the river for a reporter of the Chronicle and Sentinel newspaper. When he came I invited him into the office. "Now," said I to him, "I want you to take down just exactly what is said here. I have nothing to conceal here." He went in with me to Judge Rivers's office.

After Rivers had taken his seat I said, "I would like, as a preliminary matter, to inquire whether or not you are sitting in the capacity of a major-general of militia or as a trial-justice?" Rivers said that would depend upon circumstances. That if the facts were of such a character as to justify his interfering as a trial-justice, he would do so; if not, otherwise. Then he said, "I am sitting here as a peace-officer." I said, "That is immaterial to me; I merely wanted to know. I want to investigate the facts of this difficulty, and either capacity will be perfectly agreeable to me."

When we had reached this point this Spencer came into the office. He came up to me and said, "General, I think if you could suspend this trial awhile, we can settle it." I said, "Certainly, I have no objection to suspending it at all." I said, "Just ask the judge; if he suspends it, I am perfectly agreeable." He then went up and applied to Rivers himself.

I would like the committee to bear that in mind, because an entirely different construction has been put upon it in saying that I asked the adjournment of the court. He came in and I said, "If the trial-justice says so, I am perfectly willing." Prince Rivers got up then and said, "The case is suspended for ten minutes." I said, "That is time enough for me." About that time the intendant of the town, a colored man by the name of Gardner, came in and walked up and said to me, "General, I think if you could come around to the council chamber"—which was just beyond Damm's store from where I had gone—"I think these

officers would meet you and this matter can be all arranged." Said I, "Certainly, I am perfectly willing to go," and I went around there with him. I think, perhaps, I got into the buggy and went around to the council chamber and sat there, I suppose, for twenty-five minutes or more. That was the first time that anything had been said about arms. He said to me that he was very sorry that there was any trouble there, and all that sort of thing. I said, "I see no occasion in the world for any disturbance here, and I am surprised that you, by virtue of your official position as intendant of this town, have not taken it in hand." He said, "I don't know anything about it." We talked very quietly, and I said, "Now, it seems to me that the best solution of this difficulty is for these people to send these arms back to Governor Chamberlain. There is no occasion for them here, and nobody is going to trouble these people; all I can say is that it seems to me that would be the best solution of it;" in which he entirely acquiesced and thought that that would be reasonable, and I supposed he concurred in the idea. I did not demand the arms at all, and I simply made the suggestion to him in those words.

Q. Did you demand the arms on that or any other occasion?—A. I am coming to that after awhile. I said to him that I thought that would be the best solution of the difficulty, and he concurred in it. I waited twenty-five or thirty minutes. These people did not meet me again, and I confess that I was getting a little tired of that sort of thing. I got in the buggy and went over to the city of Augusta. I remembered that I wanted to send some supplies up to my plantation, and I said to Harrison Butler, "If you will drive me over to Augusta, I will get my supplies, and then go out and spend the night with your father." I thought there was no possible chance for a trial. I suppose I was gone a half or three-quarters of an hour in Augusta. I found that there was a great deal of excitement in Augusta; a great many people asking what the condition of things was in Hamburg. I said, "Very bad; and I would not be surprised at any time if a riot were to break out there." I came back, and on the bridge on which the highway crosses the river I met four of these people again—this man Sam. Spencer, Picksley, and Edwards and Simms. They followed me and said, "General, we were going over as a committee to look for you." I said, "What is the matter now?" They said, "We think we have got this matter in such shape as that it can be settled." I then drove back to Damm's store. Spencer asked me to drive around to his house, and he thought they would meet me there. I went around there, and when I got back I found that the crowd of white men had been increased to perhaps fifty or sixty; they had come in mounted, and the excitement was increased. I drove up to Spencer's, and I suppose I waited there fifteen or twenty minutes, and still the officers did not come. Lieutenant Cartledge did come up and speak to me. He said that he had come down there and wanted peace. Said I, "Certainly, I want nothing else but peace." I waited some little time, and they did not come, and I drove around to look for Mr. Butler, really intending to go out to his house. When I drove around the square beyond the bank-building, on the street that runs under the railroad, I stopped there for some little time talking with this man, and a messenger came and said that Prince Rivers wanted to see me. I said, "You go back and tell Prince Rivers that if he wants to see me he can come to me. I have been four or five times now, and I don't propose to go again; if he wants to see me let him come to me." He did come to me and said, "General, if these people will give up their arms and send them off, what security

have you to offer?" I said, "There is no trouble about the security." He said, "Will you guarantee their safety down to Columbia?" "I have nothing to do with that," I said; "I am here professionally, but I do not hesitate to say, as a citizen of the country, that I have no doubt that there will not be any trouble; but if you want security, I take it that there are ten or twenty of the best men in Aiken County who will be security for these arms until they are deposited in the State arsenal, where they belong. I will say that to you, but beyond that I have no right to say anything;" and I rode off. He said to me, "I think that is a fair proposition, and I will go up and see these people." They had assembled in their drill-room. He said, "If they do not do it they must take the consequences."

By Mr. CHRISTIANCY :

Q. This must have been along toward night?—A. Yes, sir; it was along toward sunset. I rode off from him, and about the time I got about to the corner again, diagonally across the square from this drill-room, the rumor was circulated around that the negroes were going to fight; that they were not going to give up their arms; and very soon after the firing was again commenced and was kept up, I suppose, on both sides. I rode then to the corner of the bank-building which is near Rawle's house, and where Doc Adams said he took refuge behind the lattice later in the night; and I suppose that firing kept up an hour on both sides. The whites who were firing were on that side, and I remained there.

There were several attempts to burn the town. I remember seeing the fire blaze up at one point, and I told somebody that they ought to go up and put it out, and they did so and put the fire out. It was set on fire three times after the negroes were driven out of the building and most of them arrested. I rode around to Sibley's corner, and in the mean time quite a large crowd of people had come over from Augusta. I recognized a few gentlemen who appeared to be walking around there, but the great majority of the crowd I did not know. I rode around, and one of these men came rushing up and said, "General, let us set this house on fire." I said, "No; it will never do; it is wrong to do that." The man was drunk. He said that he had seen Mr. Sibley, to whom the building belonged, and he had said he didn't care a damn; to burn it. I rode off. There were a great many outrages perpetrated. Captain Conway came across the river on horseback, and from him I got information that these people had come from some distance in batteaux and canoes, and, said he, "I think if you will assemble them together and make them a speech, they will go back." I said, "Then go around and gather them up, and I will do so." I did not see any occasion for their remaining there, and I did make a request, saying that the trouble was all over, and asking that they would go back across the river.

It was reported to me that some thirty of these negroes had been arrested and were under guard some fifty yards below, towards the South Carolina bridge. These people were very respectful to me, but one man said, "All right; we will go, and then we will sing out 'warehouse.'" I suppose that they were going through stores and warehouses, committing a great many depredations. I suppose that the crowd would go into the warehouses and other places and commit depredations, and they rushed off. I then said to these men, "I have no idea of remaining here all night. I can't control these people and I am going off." By that time there had been three men killed—Jim Cook and Moses Parks, colored men, and young Merriwether, a white man.

Merriwether was the first man killed, and of course the crowd was naturally excited, and a good many of them were drunk. They were infuriated by this thing, and had passed entirely beyond my control or that of anybody else. I suppose about twelve or one o'clock Col. A. P. Butler went down there, and he and his friends went off just about the time I did, and I left the crowd committing depredations in the town, and I have no doubt that they committed a great many of them. He said to me, "What is to be done with these negroes?" I said, "I don't know, unless you send them to Aiken." He said, "I have no warrant for them, and I am not going to send them off." I said then, "I suppose you had better release them," and he acquiesced in that view of it. That was Col. A. P. Butler. I then went off with Robert J. Butler, and went up through the low grounds of his plantation to his house. Next morning I rode up to what they call the dead-ring, and there I recognized one of the men as being a man who had worked for me two years before, Willis Merriwether, and I spoke to him and asked him if he hadn't had enough of the militia, or something of that sort. I knew none of the other negroes. I rode off, and the next morning I heard that those men had been killed; this man Cook was killed, and Parks and Merriwether, before I left there. It was represented to me that Cook was looking over the fence attempting to get over the inclosure which Adams spoke of here.

He says in his evidence that I had a conversation with him in his room. I never saw the negro, that I know of, in my life. I do not know that I ever heard of him before. He was pointed out to me about a month afterward as I was passing.

He also testified to seeing me at that ring just before those people were taken out and shot. That is utterly false.

By Mr. MERRIMON:

Q. One witness swears—Harry Mays or Dock Adams, I am not sure which—that he heard you tell them to shoot one or more men in that ring about three or four o'clock in the morning.—A. There was not a word of truth in that. I was at Mr. Robert Butler's house at that hour.

Q. What time did you leave?—A. I think about twelve o'clock, in company with Mr. Robert Butler and his son Tom, and another man by the name of Shaw. We stopped at his mill, I suppose about half an hour, and then went on up, and I didn't know that the negroes had been killed until the next day. These two men were killed and were lying in the street when I left. Most of them that I saw after they were arrested had their shoes off. I supposed that Cook had taken off his shoes so as to enable him to make less noise in attempting to escape.

Adams says he heard me talking to Attaway at Rawle's house at the veranda. I may perhaps have been around there once. He says that was my headquarters. I had no headquarters. I certainly had a little more sense than to go and get in range of the guns, and that would have been exactly in range. I did not speak to him and did not see him. I did not know that Attaway had been arrested even.

Q. Did you have any control of that mob at all?—A. Not the least. No human power could have controlled them after the first shot was fired. It was an unbridled mob. The men that brought that artillery over there I did not know. One man came up to me who wore spectacles, and another who had beard. I remarked to this man Conway that it was curious that I did not recognize these people, and he said to me, "These are factory people, and the Irish have come over here for the purpose of plunder, and these men are drunk." I had no more con-

trol over that mob than I would have over a northeast hurricane. I did try, as long as I could, to prevent what outrages I could, but it would have been impossible for me or any other human power to control it. I certainly did all I could for three hours—a great deal more than I should ever do again—to prevent it.

These people have all said that I went in there at the head of two hundred armed men, and that there were fifteen hundred armed men in town. I think there were, perhaps, sixty men from the South Carolina side of the river, generally of a class of people who do not commit outrages of that sort, and, I presume, one hundred and fifty or two hundred people from the city of Augusta. I could only make a rough estimate. There were enough to do a great deal of damage and commit a great many wrongs. I have no doubt of that. I went at the head of no army, and had no more idea of having a difficulty when I left home than I have at this instant with this committee. I had no pistol, and nothing more dangerous than a copy of the Revised Statutes of South Carolina. I deplore it as much as anybody. I had that copy of the statutes in my buggy, for I really did not know what the nature of the investigation was to be, but I thought that might cover everything.

Q. State whether you had any political motive in going there, or in anything that you did there?—A. I never had any political motive about it. Some negro has said—I think one that I met on the bridge—that I said that this thing was to be kept up until November. I never made use of any such language. The canvass in the State did not begin until August 16, and these democratic clubs were being organized, and the canvass had not really begun. It had been very strongly urged by men in the country to run Governor Chamberlain at that time, and I had no idea of having a difficulty, and never dreamed that there would be one. I had no more idea that there would be a riot than a man living in the Sandwich Islands. That statement is utterly and entirely false.

Q. Is it within your knowledge that any person else had any political motive in what was done there?—A. None at all. So far as I am concerned I had no idea of any political importance being attached to the riot; it was a mere *émeute*, one of those sudden, spasmodic riots that break out without being really preconsidered.

Q. Do you know anything about the organizing of that militia company? If you do, tell us what you know about it.—A. Well, I did not know at the time, but I have put myself to some trouble to learn something about it.

I want to state one other fact in connection with it. After these events transpired, such a different account of them appeared in the democratic papers from what actually occurred, that this reporter whom I have mentioned wrote me a letter; and, although I know that this note is not competent in any legal sense, and that it is not competent for me to state its contents, yet I think I may say that he stated in that letter that he had not written a line in regard to the matter for any of the Augusta papers. There was a great hurrah made in the papers, and I was condemned without any investigation being made into it, and he wrote to me that he had not written any account for the Augusta papers. It seems to have been picked up by Tom, Dick, and Harry, and to have been made the most of, and just put in in that way.

I afterward came to Columbia to see Governor Chamberlain in regard to it, and went down to his office and stated to him substantially as I have stated here. His reply to me was, "I don't see how you are to be blamed for it. The only horrible thing is the killing of these negroes after they were prisoners; that is murder." Said I, "Certainly, that is

murder; there is no civilized man can justify that thing; but I had no control over it." He intimated to me that there was no blame to be attached to me. Mr. Youmans, of this city, was with me. The northern papers took up the matter, and heaped such epithets as "bloodhounds from hell," and all those complimentary allusions, and of course I was very much annoyed about it.

I requested Mr. Youmans afterward to go to the adjutant-general's office and inquire if these people had been commissioned. The adjutant-general had stated that they were regularly commissioned militia.

Mr. Stone was sent over there by Governor Chamberlain as attorney-general of the State, and he made what I think a very unfair report. He did not seem to me to find out the facts. He simply went to the negroes who had been implicated, and made his report accordingly. Subsequently, in a communication which has been published, I denounced that report. In that report he says that this company was re-organized in May, 1876, and that it was the same company that had been organized under Governor Scott's administration in 1872.

When I had this interview with Governor Chamberlain I said to him, "I must say to you, as a citizen of this country, that you are perpetrating a cruel wrong upon these people to allow these arms to stay there—a great wrong, that is unjustifiable." Said he, "I did not know anything about the guns." Whether he did know anything about them or not I do not know.

Mr. Youmans went to the adjutant-general's office for the purpose of ascertaining about this matter of the militia company, but he said that he could find no evidence of any commissions having been issued. I know nothing of the legality or illegality of the militia, but I would like to refer the committee to the law upon this subject.

[Section 9 of the act of March 17, 1874, re-organizing the militia, was read by the witness, as follows:]

SECTION 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the service of the State shall at once re-organize under the provisions of this act, by the members signing proper enlistment-rolls, and being mustered into the service of the State as a part of the National Guard; and for the purpose of such re-organization sixty men shall be considered the minimum. Such companies not re-organizing, as herein provided, on or before the first day of January, A. D. 1875, shall be disbanded, and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all arms, accouterments, or other military property belonging to the State, in possession of such company; and any member thereof who shall refuse or neglect to deliver the same shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by fine not exceeding one hundred dollars, nor less than ten dollars, or by imprisonment not exceeding thirty days, and the said property, wherever found, may be taken possession of by the commanding officer of such regiment, or by any officer or soldier acting under his orders: *Provided*, The general commanding the division to which company or companies may be attached shall have power to extend the time for the re-organization herein required upon the recommendation of the regimental commander.

The WITNESS. My information, derived from Major Stone, was that this company was not re-organized until May, 1876, and my information further was that they had no authority from the major-general either to have the arms or to re-organize.

Q. Who was the major-general?—A. Prince R. Rivers, sir; so reported. A great many of those guns had been distributed all around the State.

By Mr. CHRISTIANCY:

Q. You do not mean to have your statement of the law entered as a

part of the testimony, I suppose?—A. No, sir; that is a matter of argument, as to whether it is a legally organized company.

Q. Do you know a man in Hamburg named Louis Schiller?—A. Yes, sir; I have known him for ten years.

By Mr. MERRIMON:

Q. Do you know his general character?—A. I think I do.

Q. What is it?—A. In what respect?

Q. For truth?—A. I think it is bad, sir; he is a man of no character whatever.

Q. I ask you, sir, whether any member of that militia company told you at any time who fired first in that riot, who saw the ammunition?—A. Yes, sir; a man by the name of Pompey Currey told me.

By Mr. CHRISTIANCY:

Q. Do you know, yourself, who fired the first shot?—A. I really don't know who it was, because I was clear across the block when I heard the firing.

By Mr. MERRIMON:

Q. State whether you ever made any effort to have that Hamburg matter investigated judicially.—A. I did, sir; after this thing assumed the proportions that I stated it did, and I heard that this investigation was going on, and that the jurymen consisted of parties implicated, entirely of negroes, and the negro trial-justice and some of the jurymen were the parties implicated in the riots, then I supposed, of course, that political capital was trying to be made out of it, and I sent word to the attorneys that if any warrants were issued for me, if they would let me know, I would report at Aiken at once; and a warrant was issued, and I went down and appeared before Judge Maher, and, on application for bail, it was granted to all the parties concerned, in the sum of \$1,000, by Judge Maher—

By Mr. CHRISTIANCY:

Q. One thousand dollars each?—A. One thousand dollars each; that is, in each case; and the court met on the first Monday of September, and all the parties implicated reported again, and I, through my counsel, demanded that a bill of indictment should be given to the grand jury; and my information was that the judge continued the cases upon his own motion. It has been alleged, by a man by the name of Albert Carroll, who lives at Aiken, that the reason that the case was not tried was that the court was intimidated.

Q. Both those statements are on information merely?—A. No, sir; one of the witnesses (Carroll) who has testified here has testified that they went down there and intimidated the court with arms, and all that sort of thing. I was entirely ignorant of any purpose to intimidate anybody. There was eighty of us included in this warrant, and I suppose they may have had a party of their friends with them, but I don't think there was at the outside one hundred and fifty white men who accompanied them in Aiken. If there was any disposition to intimidate any one, I did not see it. The men had to come with their wagons, some of them thirty miles, and they brought their supplies with them and camped out and did not appear in the town, but remained out two or three miles. Some of them did not come in at all, and everything was very quiet in Aiken.

I, through my lawyers, demanded to have this case referred to the grand jury for the purpose of having an investigation, but it was denied

me, and has been persistently denied me since. The court is now in session, and I am informed that no bill has been given out; and I have never had an opportunity to have an investigation. I have demanded of Governor Chamberlain that he proceed to have an investigation, but it has been denied; for what purpose, I do not know. He is charged with the execution of the laws of the State, and he has declined to do it.

If I am the red-handed ruffian and bloodhound that I have been accused of being, either his government is imbecile and utterly worthless, or I should have been put in the penitentiary long before this. There is no escape from that dilemma. I have not only asked for this investigation, but I have demanded it again and again.

Q. I ask you whether, under the law of this State, one charged with willful murder is entitled to bail?—A. No, sir; he is not.

By Mr. MERRIMON:

Q. I notice that your State constitution says that the legislature shall provide for a registration of the voters, of the electors of the State, and the provision seems to be peremptory. Has any law been passed since the present constitution went into effect on that subject?—A. Not within my knowledge. I can state in that connection that there has never, I think, been an assemblage of a democratic convention in the State since that time that has not urged upon the legislature the enactment of a registration law in obedience to what is considered to be a mandatory provision of the constitution.

Q. Witnesses have been repeatedly asked in the course of this examination whether or not you have talked with them. I ask you whether you have rendered the minority of the committee any assistance, and if you say yes, under what circumstances?—A. I have done all that I could to assist the minority of this committee, at its request. You requested me, or some gentleman in the State who was familiar with it, to come here, representing that you were a stranger, which we all knew, and unfamiliar with the history of the last year and the people of the State, and I responded to that request; and I have been in attendance here since last Tuesday to give you what assistance in that respect I could, at some very considerable inconvenience to me.

Q. I ask you whether you have suggested to any witness any statement that he did not voluntarily make?—A. I have not. I have merely attempted to get at the substance of what they were going to state, with a view of facilitating your investigation. I have understood that Mr. Corbin and other gentlemen have been aiding the majority of the committee in that way, and I have done so for the minority, at very considerable personal inconvenience, too.

By Mr. CHRISTIANCY:

Q. There is one point to which I wish to call the attention of General Butler, in order to give him a chance for explanation. It is a question of law and was not a proper thing to go into the evidence, but inasmuch as you have already stated it I want to give you a chance to modify your statement if you desire to do so. I see that your constitution provides that all persons shall before conviction be bailable on sufficient securities, except in case of murder when the proof is conclusive or the presumption great, so that there might be many cases where persons charged with murder would be bailable?—A. O, certainly, on the charge of murder.

Mr. MERRIMON. You notice I used the words "willful murder."

The WITNESS. There are many instances where parties have been charged with murder and been entitled to bail; but if upon an investi-

gation of the matter the judge decides that it is murder, then, as a matter of course, under the provisions of the constitution the person would not be bailable. If it should appear upon an investigation before the judge that it was murder, of course under the provision of the constitution he would not be entitled to bail.

By Mr. CHRISTIANCY:

Q. The point which I refer to you have not reached. Take a case where it is murder or nothing, if you please, if you can imagine a case of that kind; if the judge should be of the opinion that the evidence was weak and that it was a case that needed investigation, he could take bail?—A. O, certainly; it has been done time and again.

Q. It is only where the proof is evident that the prisoner is not bailable?—A. Yes, sir.

By Mr. MERRIMON:

Q. You spoke of persons coming to you; I wanted to ask you at the time if it was difficult for you to move about from place to place; and, if so, specify any reason for it.—A. I have got but one leg, and go on crutches now. I do find great difficulty in getting up and down the steps.

Q. I meant in that riot?—A. I was wearing my artificial leg at that time; but of course it is difficult for me to get about. I was not going on crutches then.

LEROY F. YOUMANS—RICHLAND COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

LEROY F. YOUMANS sworn and examined.

By Mr. MERRIMON:

Question. State your age, your place of residence, your profession, and with what political party you affiliate.—Answer. I am forty-two years of age; I live in Columbia, S. C.; my profession is that of lawyer; politically I am a democrat.

Q. State whether you took any part in the late political campaign, and if you say yes, state the general facts that came within your observation in the course of the campaign through the State, as to the manner of conducting it, whether it was peaceful or otherwise.—A. I did take a very active part in the last campaign. I made as many speeches, I expect, almost as anybody else, with the exception of General Hampton. I spoke in a great many portions of the State and in many counties. I advocated the election of the democrats both on the presidential and State tickets. While there was intense excitement, yet so far as force was concerned the campaign was remarkably quiet. I saw no disturbance, and there was none at any place where I spoke.

By Mr. CHRISTIANCY:

Q. At the time you were there?—A. At the time I was there; of course, I am simply speaking of that. I know that General Hampton and others in their speeches took the same tone. Hampton especially was most emphatic and explicit in announcing that the campaign should be pacific, and his unparalleled personal popularity in South Carolina brought numbers out who were never out before.

Mr. CAMERON. That is a matter of opinion.

The WITNESS. No, sir; that is a matter of fact and within my knowl-

edge. I happen to know all the arguments that have been used, and I say that that is a matter of fact within my knowledge.

By Mr. CHRISTIANCY :

Q. You know the arguments that were used where you were?—A. Yes, sir; and I know the arguments generally used, too, which induced his nomination. I know that after the troops were brought here I advised the people who had been in the late war that if they got into any difficulty with the United States troops not to return the fire, even if they were fired into. There was no disturbance at any of the meetings which I attended.

By Mr. MERRIMON :

Q. State whether you addressed any negroes, and whether there was any special desire to have those negroes vote with the democratic party?—A. Yes, sir; we addressed them everywhere where they would come, and in some of the counties negroes generally attended our meetings. It was the special desire of General Hampton and the gentlemen associated with him to address the negroes. It was the plan and policy of the campaign to use all peaceable means to get the negroes to vote with us.

Q. State whether at any time, anywhere, you endeavored by force or threats to induce the colored people to vote the democratic ticket?—A. We never did. It was simply by arguments addressed to their sense and understanding.

Q. State whether anybody else did so within your knowledge?—A. I only went along with Hampton toward the latter part of the campaign. The first part of the campaign I was not with him. I, and the speakers who were with me, did not make use of those arguments. I do not know what happened in other places.

Q. Were you familiar with the political movements of the democratic party in this State?—A. Yes, sir.

Q. Within your knowledge was there any purpose on the part of that party to use violence, intimidation, or proscription to induce negroes to vote the democratic ticket?—A. It is not within my knowledge that there was any purpose to use violence or intimidation. As to proscription, that depends exactly upon what you mean. I think there was a purpose on the part of the democrats throughout the State that as to their future employment of laborers they would be regulated by the political course of the negroes. But as to discharging them I do not know anything about that.

By Mr. CHRISTIANCY :

Q. As to employing them for the future that was the understanding?—A. I do not think it was the understanding, but I think it was agitated and mooted, and I think the whites resolved precisely as you do in your large manufacturing establishments in the North with the employes there—that if they did not vote as desired they would use their discretion about employing them in the future. I stated myself, when asked for my opinion, that there was no law which would prevent a man from refusing to employ any man that he chose. To that extent I think the question was agitated. Of course there is no such law, and there cannot be any such law with any regard to the constitution.

By Mr. MERRIMON :

Q. State whether you were at any time employed professionally to ascertain the facts as to the existence of a company, or what purported

to be a company, of militia in the town of Hamburg, in this State, called "Doc Adams's company."—A. Yes, sir, I was.

Q. State to the committee all you know about it, and how you came to be employed, and by whom.—A. I got a letter from D. S. Henderson, of Aiken, in this State. This thing happened in Aiken County. This letter is dated August 6, and is addressed to myself and my partner.

Q. Was it touching your employment?—A. It was exactly that. I think about that time I got a letter also from Gen. M. C. Butler, asking me to go to the adjutant-general's office and make an examination of the records there in regard to this company. His letter is dated the same date, the 6th of August. I went to the adjutant-general's office and devoted a portion of two days to ascertaining exactly what were the facts. The facts are these, and I drew this certificate, and asked the adjutant-general to sign it, which he declined to do after consulting with Mr. Stone, who was then attorney-general. Mr. Elliott, who now claims to be the attorney-general, and Chamberlain, were also there.

These are the facts which I wanted him to certify to:

[The witness read a paper as follows:]

In the office of the adjutant and inspector-general, on the 7th of August, 1876, there was no record of any commission being issued to Doc Adams or A. T. Attaway as officers in the militia of the State. The only record of any commission issued to Louis Cartalidge or Catalidge is of a commission issued to him as lieutenant of Company A, Ninth Regiment National Guards, on November 19, 1873. He took rank from November 1, 1873. There was no record of Company A, Ninth Regiment National Guards, being detached from the Ninth Regiment and attached to the Eighteenth Regiment National Guards. There was no record of any re-organization or muster-roll of Company A, Eighteenth Regiment National Guards, everything pertaining thereto having been sent, as Purvis, the adjutant and inspector-general, informed me, in July, 1876, to John Williams, colonel of the Eighteenth Regiment National Guards. There was no record of any commission being issued to any person as an officer of Company A, Eighteenth Regiment National Guards, or of any company as Company A, Eighteenth Regiment National Guards.

That was the result of two days' search from the records of the office, with the papers thrown open. I put it in that shape, because Mr. Purvis was aware of my purpose, and has signed an address to the people of the United States in which he has stated the reverse.

Q. Who was Purvis?—A. He was adjutant and inspector-general. If any such papers are in that office now they are forgeries, or have been put there since without warrant or color of law.

Q. Did you examine the records of the office?—A. Yes, sir; with him and his clerk, Mr. Kennedy, who since claims to be elected along with Chamberlain as Purvis's successor.

Q. You made the search as thorough as you could?—A. It was made very thoroughly, and we examined every paper that in any manner related to it. I told them my purpose, and that I came there in the interest of M. C. Butler and the other people who were charged with murder in the Hamburg massacre.

Q. State how the militia law required this organization to take place; refer us to any law of the State that required the re-organization of the militia embracing what purported to be Doc Adams's company.—A. Section 9, act of March 17, 1874, 15 Statutes, page 714.

Q. Is the statute providing for the re-organization of the militia now before you?—A. It is, sir. It is as follows:

SEC. 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the service of the State shall at once re-organize under the provisions of this act by the members signing proper enlistment-rolls and being mustered into the service of the State as a part of the national guard; and for the purpose of such re-organization sixty men shall be considered the minimum. Such

companies not re-organizing as herein provided, on or before the 1st day of January, A. D. 1875, shall be disbanded, and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all arms, accouterments, or other military property belonging to the State in the possession of such company; and any member thereof who shall refuse or neglect to deliver the same shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine not exceeding \$100 nor less than \$10, or by imprisonment not exceeding thirty days. And the said property, wherever found, may be taken possession of by the commanding officer of such regiment or by any officer or soldier acting under his orders: *Provided*, That the general commanding the division to which company or companies may be attached shall have power to extend the time for the re-organization herein required upon the recommendation of the regimental commander.

Q. In your examination in the adjutant-general's office, state whether you found any records or papers required to be executed by the statute that you are now examining.—A. I have just stated exactly in this paper what I did not find. I did not find any such papers, as my statement shows. This paper shows exactly what I did not find. I made this examination for General Butler, being his personal friend and counsel, and I found, and I so stated, that those papers were not there; and if such papers are now to be found in the adjutant-general's office, I pronounce them to be forgeries.

By Mr. CHRISTIANCY:

Q. That is your opinion?—A. No, sir; they were not there at that time, because I looked through all the books.

By Mr. MERRIMON:

Q. The proper officer was there?—A. The proper officer was there, and his clerk, Mr. Kennedy.

Q. They showing you where to look?—A. They showing me where to look, and I asked and staid there the greater portion of two days, because I regarded it as a very essential point in the matter of the defense of the parties charged.

Q. State whether you went before the judge as counsel in the matter you have referred to, and what happened there.—A. We went before the judge; Attorney-General Stone was there; General Gary, myself, and a number of other lawyers were also there on the part of the prisoners. I think there were about seventy-five persons that were charged. They all surrendered to the sheriff and appeared in court. The hearing was upon affidavits on the part of the State. The attorney-general introduced the coroner's inquests as testimony there. On our side, we introduced a number of affidavits. The argument was very brief. It turned principally upon the amount of bail. The judge decided to admit the parties to bail, I think, in the sum of one thousand dollars each.

Q. State whether, under the laws of this State, a person charged with murder in the first degree is entitled to bail.—A. Under the constitution of the State he is entitled to bail, unless the proof is evident or the presumption great.

Q. In view of that provision of the constitution, the judge let those parties to bail in the sum of one thousand dollars each?—A. Yes, sir; the evidence was very conflicting. Of course it would take a long time to go over the minutiae of the testimony, and he did as judges ordinarily do when the evidence is conflicting—admitted them to bail, as he was bound to do under that clause of the constitution.

Q. What became of the prosecution of your clients?—A. I was present at the regular term of the court.

Q. When was that?—A. It was some time in the fall.

By Mr. CAMERON:

Q. September, was it not?—A. Yes, sir; it was September—the first or second week in September, I am not sure which. The counsel for the prisoners were there, and demanded a trial. The attorney-general was not there. He was at that time in the State, to my certain knowledge, for as I left here to go down he came from the north, and I took the road to Charlotte which goes on to Augusta, and at that time Mr. Stone came in. We insisted that the case should go to the grand jury, but the judge declined to hear argument.

Q. State whether it is the business of the attorney-general to prosecute such cases, or whether it is the duty of the district solicitor.—A. It is the business of the State solicitor to prosecute. He is an officer corresponding to the commonwealth's attorney in other States.

Q. He does not act for the whole State?—A. No, sir; there is a solicitor for each judicial circuit.

Q. Was it his business to prosecute the men?—A. It is the business of the solicitor to prosecute. But, under our laws, the attorney-general has the right to come in and take control of any case; and in this case he had taken a very active part, at the instance of Governor Chamberlain; and, furthermore, had prepared to resist the motion for bail. There had been some correspondence between him and the judge, the nature of which I do not know. At that time there was no solicitor, for this reason: the solicitor had recently been elected judge. At the time when we made the motion for bail, Mr. Maher was judge. That was very early in August. In a few days afterward, in the month of August, Mr. Maher's time expired, and his successor regularly and normally went into office. His name was Wiggin, and he had been solicitor until that time. Under the laws, Governor Chamberlain had the right to appoint a successor to the solicitor, but that successor was not appointed.

By Mr. CHRISTIANCY:

Q. That very position that Wiggin was in, of having previously been acting as prosecuting officer, would have rendered it very improper for him to have heard this case as judge, would it not?—A. No, sir; I do not think so, because he had taken no part in the case at all; he had not been present, and had had nothing to say. He did not put it upon that ground, but upon the ground that the attorney-general did not attend. That is exactly what he said that morning, because we insisted that it was a matter of great moment to us that the trial should proceed.

By Mr. MERRIMON:

Q. It has been sworn here that the reason why the court continued this case was, that the court was intimidated; that there were great numbers of armed men there who were friends of the prisoners, and that the court could not have proceeded safely with the case. State any fact you may know upon that subject.—A. Of course I know nothing of his being intimidated. As to there being any demonstration, or any danger in consequence of his trying the cases, it is false. There was a large political meeting, the time for which had been fixed long before, and which occurred during that week. That night, in consequence of having to sit up all night, I walked through the town at two o'clock in the morning. Aiken is a favorite resort for northern invalids, and it has a climate as fine as that of Nice for consumptives, and there are usually a great many people in town; and, of course, usually some stirring about at night. But at that time it was as quiet a village as I ever saw in my life.

Q. Did you see at the village any demonstrations of violence?—A. No, sir.

Q. I will ask you the general question whether you are in possession of any other fact within the scope of the examination I have given you that will be material for this committee to know.—A. I confess that I do not know exactly now the scope of the committee's investigation.

Q. I speak of the questions I have asked you.—A. No, sir; I do not know of anything special, except the uniformly peaceful tone in which Hampton conducted his campaign. It was peace from the commencement to the end. I know that he enjoined it upon everybody, and it was our policy, and I had no knowledge of any disturbance or any difficulty. I know that wherever I spoke, and wherever I was, there never was any. At one time, in the town of Beaufort, where I spoke—it was not one of his regular appointments—the demonstrations on the part of the negroes were very threatening, particularly as we were arraigning some of Mr. Chamberlain's appointees, one of them a man who had been convicted of ballot-box stuffing, and he was then county auditor. Some of his friends were there and raised a considerable hubbub. There were a number of officers of the fleet, who were stationed at Port Royal, who were witnesses of that. That was the nearest approach to a row that I saw during the campaign, and that was caused by a radical negro there by the name of Langley. There was no violence on that occasion; it was just an interruption of the speaking.

Q. I see that your constitution provides, and the provision seems to be peremptory, that the legislature shall provide for the registration of the voters in the State. I ask you whether there has been any statute in compliance of that provision of the constitution passed since reconstruction went into operation.—A. None at all.

Q. Do you know any reason why it has not been passed?

(Question objected to by Mr. Christianity.)

The WITNESS. Nothing has happened to prevent it except that the legislature did not do its duty.

By Mr. CAMERON:

Q. Did the democrats have a registry law when they were in the majority in the legislature of this State?—A. No, sir; they did not.

By Mr. MERRIMON:

Q. Can you say that the democrats, since the existence of this constitution, have been anxious that there should be a statute on this subject?—A. Yes, sir. Governor Chamberlain, too, has recommended it to the legislature in the very strongest terms in some of his messages.

RICHARD C. WATTS—LAURENS COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

RICHARD C. WATTS sworn and examined.

By Mr. MERRIMON:

Question. State your age, your residence, your business, and the political party with which you affiliate.—Answer. My place of residence is Laurens Court-House, South Carolina; my age is 23; I am an attorney-at-law by profession; and I belong to the democratic party.

Q. State whether you took any part in the late political campaign in

this State, and, if you say you did, give the committee to understand what part that was, and the spirit of the campaign, as you witnessed it.—A. I did take a part in the campaign. I canvassed our county pretty thoroughly as a stump-speaker, and in the absence of our regular democratic chairman, I frequently acted as chairman of the executive committee. The whole spirit of the campaign was one of peace and persuasion to the colored people to come with us.

Mr. CAMERON. You can state what was done and said, but your conclusion that the whole of it was peace is not proper evidence. That is a conclusion for us to draw from the facts.

The WITNESS. We had large gatherings, and there was great enthusiasm at all of our meetings. Our object was to get up enthusiasm like Peter the Hermit did of old, if we could.

By Mr. MERRIMON:

Q. How many meetings do you think you attended in that county?—

A. Well, sir, I attended eight or ten.

Q. Did you address the people?—A. Yes, sir.

Q. You said you were president of the club?—A. No, sir; I said that in the absence of our county chairman I frequently acted as chairman.

Q. Were you familiar with the movements of the democratic party?—

A. I guess I knew as much about it as any man in the county.

Q. I ask you whether, in your participation in the canvass, you sought to frighten or intimidate any person into the support of the democratic ticket.—A. No one, sir.

Q. Within your knowledge, did anybody else do so?—A. No one, within my knowledge.

Q. Was there any such purpose manifested on the part of the democratic party, in its organization, with which you are familiar?—A. None.

Q. On the contrary, I will ask you whether there was any particular reason why the democratic party was anxious to have a peaceful canvass, more so than usual.—A. Yes, sir; it was the whole policy of the democratic party of the State to do that. We wanted no violence at all. We merely wanted to persuade them to come over to us, and our whole argument was that we would give them a better government than the republican party of that county; that we were tired of this corrupt government.

Q. Where were you on the day of the election?—A. At Laurens Court-House.

Q. Did you witness the election?—A. I witnessed it. There were four polling-precincts at Laurens Court-House out of eight in the county. It is rather a large county.

Q. Give the committee to understand where you were, what you did and saw, and if you had large means of observing what transpired there.—A. I was at every polling-precinct at Laurens Court-House, passing from one to the other the entire day, and saw everything that was going on. It was a very peaceful, calm, and quiet election; no violence or intimidation of any kind whatever.

By Mr. CHRISTIANCY:

Q. You know that fact, do you?—A. I know that fact; it is within my knowledge.

By Mr. MERRIMON:

Q. State whether there were any armed white men at Laurens Court-House.—A. If there were any there, their weapons were concealed.

Q. Were you where you could have seen them if their weapons had been exposed?—A. I was.

Q. Why were so many boxes used at that Court-House? How large is that town?—A. Our town has about five hundred inhabitants. That was done for the purpose of repeating. I know we made desperate efforts about two yeas ago to get that changed. We had no democratic representative from our county, and Joe Crews run everything to suit himself.

Q. How many boxes did you say were there?—A. There were four at the court-house village and four in the county besides. That county votes about 4,600 or 4,700 votes.

Q. Do you know whether any colored people voted the democratic ticket?—A. A great many voted it; a great many voted it who did not belong to the clubs.

Q. Do you know whether there were any colored democratic clubs in your county?—A. O, yes, sir; we had several.

Q. Were you familiar with their workings, and the number that belonged to them?—A. There was only one in that town, and that had a great number in it.

Q. Where was that?—A. At the village. We had a separate one there; in the country they usually mixed with the white people, or rather at our meetings the colored democrats rode with the whites.

Q. State whether you had a conversation with J. O. Ladd, deputy United States marshal, at Laurens Court-House on the day of the election; and, if so, state what it was.—A. I had a conversation with him about one o'clock in the evening, in which he stated that it was as fair an election as he ever saw; that he had not seen anything wrong in the slightest degree, except a very small matter at box No. 1. He said there was a man standing there on the window-sill at the time, and as soon as he saw him he appealed to Colonel Ball, our county chairman, and he made the man get down.

Q. A witness by the name of Hunter, from your county, has stated that there were men armed with Winchester rifles on election-day at your voting-precincts; state whether that is true or not.—A. That is not true. He said that there was a wagon at one of the polls with men in it; that is also untrue.

Q. Did you have any observation of the wagon?—A. I was at the wagon a great portion of the time, standing near it looking at the voting going on.

Q. What is Hunter's given name?—A. I think his name is Albert B. Hunter; he is an ex-member of the legislature.

Q. Do you know his general reputation?—A. I do.

Q. What is it?—A. It is bad for veracity and truth.

Q. Would you believe him on oath?—A. I would not.

Q. Do you know whether anybody has been killed in Laurens County since or before the election on account of his politics?—A. Not during the last campaign; no one has been killed, to my information or belief, on account of his politics.

Mr. CAMERON. You were not asked for your information or belief.

The WITNESS. None have been killed on account of politics in the last campaign; that is my idea of it.

Mr. CHRISTIANCY. So far as you know?

The WITNESS. So far as I know.

By Mr. MERRIMON:

Q. Who were the commissioners of election in your county?—A. William L. Boyd, democrat, and W. H. Rutherford and J. Y. P. Owens.

Q. Rutherford has said that he signed the returns from fear of armed men. Were you present when the returns were signed?—A. I was not in the room, but I was in the court-house, where the votes were canvassed. He states in his testimony that he signed the returns because there was a number of armed men there who threatened his life.

By Mr. CHRISTIANCY:

Q. How do you know what he stated?—A. I saw his testimony here; I read it over myself. There were no armed men in the court-house, and none in the hall. He signed the returns and walked out of the room very quietly and peaceably, and nobody was disposed to disturb him.

By Mr. MERRIMON:

Q. Do you know Rutherford?—A. I do.

Q. What is his general character?—A. Bad.

Q. Bad for what?—A. Bad for veracity, and bad every way.

Q. Do you know whether any portion of the people in your county advocated proscription on account of politics?—A. None that I know of, and I have a general knowledge of the campaign. I saw where Rutherford states in his testimony that Mr. Watts did it. There are several Watts in the county. I do not know whether he alludes to me or not; if he did, he told what was false.

Q. A. C. Hunter swears that the night before the election a great many colored people came in and hid about the village because the white people were bringing in Winchester rifles and pistols; how is that?—A. That is untrue. On the evening before the election a great many colored people came there, and we attempted to get them into the court-house to speak to them, but they would not come. A young lawyer got up on the court-house steps and attempted to speak to them, but they drowned his voice by howls and yells. I got in town next morning at three o'clock, before day.

By Mr. CAMERON:

Q. Were you there the evening before when this occurred?—A. Yes, sir; I was there. It happened right in front of my office.

By Mr. MERRIMON:

Q. He says that at six o'clock the whites crowded the polls so that the colored people could not vote.—A. That is untrue. Every man voted at the village at those four precincts who desired to do so.

Q. There were four there?—A. Yes, sir.

Q. In a village of five hundred inhabitants?—A. Yes, sir. He states, I believe, in his testimony—at least one of the witnesses does—that the court-house was fired into and rocks thrown in. I got there at three o'clock in the morning, and nothing certainly had happened then.

He says that on the day of the election the whites had a wagon right at one poll, and drunken men were standing up in it and cursing and saying the negroes would be turned off if they voted the republican ticket.

Q. Did you observe that?—A. Nothing of it—nothing of the sort.

Q. Do you have any knowledge of the wagon he refers to?—A. I remember the wagon very well.

Q. Describe the wagon to the committee. He says the wagon had Winchester and other guns in it.—A. The wagon had no body on it at all, and it was pretty close to the polls. It was about as far from the polls as I am from you, I suppose. It had neither plank nor body on it; it was just merely the running-gears of the wagon. This polling-

precinct was the place where men usually drive their wagons and take out their horses when they come into town. In fact, that is the reason the wagon came to be there. It was a vacant space, and the wagons were standing in between the polling-precinct and the store there.

Q. Do you know Wade Henderson?—A. I do.

Q. Do you know his general character?—A. I do.

Q. Is he a white or a colored man?—A. A colored man.

Q. What is his general character?—A. Very bad indeed.

Q. For what?—A. For veracity.

Q. Do you know Jordan Wheeler?—A. I do.

Q. What is his general character?—A. Bad for veracity.

Q. Do you know a man by the name of Raphael Stewart?—A. I do.

Q. What is his color?—A. He is a colored person.

Q. Do you know his reputation?—A. I do.

Q. What is it?—A. It is very bad indeed.

Q. Bad for what?—A. He is a man unworthy of belief.

Q. State whether he is a defaulter or not.

(Question objected to by Mr. Christiancy, and objection sustained.)

By Mr. CAMERON:

Q. Did you ever take part in a political campaign before the campaign of 1876?—A. Never as a stump-speaker. I have always taken part in the campaigns since I have been old enough. I took part in that of 1874 and 1870. In 1872 I did not take any part in the campaign, because I was absent at college at the time.

Q. Why did you go to the court-house as early as three o'clock in the morning of the election?—A. Why did I go there? I always make it a rule to go early on election-day.

Q. You will observe that that is not an answer to my question.—A. Well, it is my usual custom, and then, on that morning in particular, there were great crowds of negroes going in on the day before, and I went over as a looker-on, to preserve the peace in case any collision of any sort should occur.

Q. You went there as a looker-on and to preserve the peace?—A. Not to preserve the peace unless it was absolutely necessary.

Q. Were you a peace officer?—A. I am no officer.

Q. Were you at that time?—A. I never have been.

Q. Who asked you to go there to preserve the peace?—A. No one; I did not go to preserve the peace.

Q. You stated that you went to preserve the peace if it was absolutely necessary?—A. Yes, sir; and I will explain that.

Q. Do so.—A. You know that from the country a large crowd of colored people would come in the evening before, and there was a great deal of drinking going on when I left; and the whites began to come in before day too, because we told a great many of them to come in and vote there at that place, because we thought the whole of the republicans would vote there, and I did not know but what, through liquor, excitement, and one thing and another, a collision might take place, as might happen anywhere else. The campaign had been peaceable up to that time, and we did not want it to be anything else just at the critical moment of that campaign.

Q. Will you be good enough to tell us why you went there so early in the morning? You have made a speech, but you have not answered the question yet.—A. That is the explanation I gave of it.

Q. Well, why did you go there?—A. For those two reasons I have stated.

Q. Those are the only reasons?—A. Those are the only reasons.

Q. Who was present when you say you had a conversation with J. O. Ladd?

The WITNESS. Who was present at that time?

Mr. CAMERON. Yes.

A. Eaton, the United States commissioner there, and Hubbard, a United States deputy marshal. Hubbard I remembered had arrested me in 1870, and I knew him, and he introduced me to these other men. I stepped up, spoke to him, and he introduced me to Eaton and to Ladd.

Q. Anybody else?—A. No, sir; no other ones that I remember. It was rather off in front of Mr. Mann's store, in the middle of the street.

Q. What were you arrested for in 1870?—A. Like every other decent man in Laurens County or near it, I was arrested under an omnibus bill for riot and intimidation.

Q. For being a Ku-klux; was that it?—A. For being a Ku-klux.

Q. Was there any Ku-kluxing in your county at that time?—A. There never was any Ku-kluxing in that county within my knowledge.

Q. In your opinion it has always been a very peaceful and exemplary county, has it not?—A. Well, it is a fine county; but we frequently have little rows and broils there. In 1870, there was a riot there, brought on by these fire-brands, the militia-men of the State.

Q. Whom have you heard speak of Rutherford's reputation for truth?—A. Well, it is his general reputation in the county; it is a county affair.

Q. That you have sworn to before?—A. Yes, sir.

Q. Now, whom have you ever heard speak of it?—A. Well, I have heard Mr. T. B. Crews.

Q. Is Crews a white man and a democrat?—A. He is a white man and a democrat.

Q. Well, who else?—A. I have heard William L. Boyd.

Q. Is he a democrat and a white man?—A. He is a democrat and a white man.

Q. Who else?—A. John W. Ferguson.

Q. Is he a white man and a democrat also?—A. He is a white man and a democrat also.

Q. Who else?—A. Those I believe are the only ones that I have spoken to lately about it.

Q. Have you heard any other persons speak of his reputation for veracity?—A. Yes, sir; for veracity.

Q. Who?—A. I cannot call them to mind right now. It is a general and common thing.

Q. You have sworn to that before; I am trying to get at the particulars now.—A. Well, I did not know as I would ever be called upon to state this, and I did not preserve the names of all the men I heard speak in reference to it.

Q. If I had known that you intended to swear to it I would have notified you that we would call your attention to it.—A. I would have been very glad of it.

Q. You can only name three persons, then, each of whom is a white man and democrat, whom you have heard speak of his reputation for truth and veracity?—A. Those are the only three that I can name. I understand the obligation of an oath, and I state that it is a county opinion, and I can produce a hundred men here if it is necessary.

Q. That is the third time you have sworn to that.—A. I merely want

you to understand that I understand the obligation of an oath; I consider myself sworn, and what I speak I know is under oath.

Q. When did you hear these three persons speak of his reputation for veracity?—A. Well, we have been discussing it here in Columbia for the last day or two.

Q. That is, you have heard them speak of it in Columbia within the last day or two?—A. Yes, sir; I have heard these gentlemen speak of it.

Q. Since he has sworn as a witness in this case?—A. Since that time, sir.

Q. Whom did you ever hear speak of Jordan Wheeler's reputation for veracity?—A. I have not heard any of these gentlemen speak of it that I have named. I have heard him spoken of in the county there by his neighbors. He lives in the neighborhood of the town, and I have heard a great many of them speak of it.

Q. Give the names of those whom you have heard speak of it.—A. William L. Milan.

Q. When did you hear him speak of it?—A. I think it was at the May term of the court of 1875 for Laurens County.

Q. How far do you reside from where Wheeler resides?—A. I do not know the exact number of miles; between twelve and fourteen, though. He has figured in the courts somewhat at large, and I found him out there.

Q. Are you intimately acquainted in the neighborhood in which he resides?—A. Yes, sir; I know a great many people in that neighborhood.

Q. Is this Mr. Milan, whom you have heard speak of him, a white man and a democrat?—A. I do not know what his politics are.

Q. Is he a white man?—A. He is a white man.

Q. Whom else have you heard speak of him?—A. E. J. Dendy.

Q. When did you hear him speak of him?—A. About the May term of the court, in 1875, or a little before, I believe; I do not know the exact date.

Q. Is he a white man and a democrat?—A. He is a white man and a democrat, sir. I have also heard Dr. William Wright, the former owner of Wheeler. I believe he was his former owner; at any rate Wheeler was in his family.

Q. He is a white man and a democrat?—A. He is a white man and a democrat. I think there were several colored men, too; but I do not remember hearing any colored men speak of it positively. I was under the impression that I had, but I cannot call them to mind.

Q. Did you ever hear any colored men speak of Rutherford's reputation for veracity?—A. I won't be positive, but I think I have heard Cato Fielder say that he was a damned liar; but I paid very little attention to it at the time.

Q. Is the white or the colored population in Laurens in the majority?—A. The colored population have a small majority.

By Mr. CHRISTIANCY:

Q. What wagon is this that you refer to that had nobody on it?—

A. That is the one alluded to in Hunter's testimony.

Q. How do you know that it is the one alluded to in his testimony?—

A. That was the only wagon at any of the polling-precincts there that day.

Q. You know that there was no wagon at any other precinct on that day, do you?—A. There was no other wagon at any of the polling-pre-

cinets that day. Of course, I allude to the polls in the village. I was not at any others.

Q. At what poll was this wagon?—A. This was the one in front of Gus. Crews's bar-room.

Q. You know what the number of the poll was?—A. I do not. I only remember the number of one box—that is, No. 1, which Rice alludes to in his testimony, and says that he could not get within a hundred yards of the poll. That is untrue, because one could get there and vote any time he wanted to.

Q. I am speaking now of Mr. Hunter. Do you know of the poll that Hunter referred to?—A. He must necessarily have referred to this one, from the fact that I stated to you that there was only one that there was any wagon at, the one in front of Gus. Crews's bar-room.

Q. There was no wagon at or near any of the other polls?—A. No, sir; the other one was in Joe Crews's old store, and a wagon could not come close to there, because the sidewalk intervened.

Q. But it might have been out in front of the poll somewhere?—A. There might have been wagons on the street, twenty-five, forty, or fifty yards off. There were wagons and buggies passing, I suppose, though I have no recollection of it; but I know there was no wagon anyways near any of the polls, except this one.

Q. How large a part of the people of the country around there came in to vote at those four polling-places?—A. I should say that two-thirds of the colored population that voted voted there at that place.

Q. At the village?—A. At Laurens Court-House.

Q. At those four polling-precincts?—A. Yes, sir.

Q. The largest portion of the colored population of the county?—A. Yes, sir; they voted there.

Q. And what proportion of the whites?—A. I should say not so many as one-half.

Q. Of the whites?—A. I am not certain about the whites. I know that we polled a very heavy vote, but I could not say what number of whites voted.

Q. You cannot say, then, whether it was less than one-half of the white vote in the county, or more than one-half?—A. I think it was in the neighborhood of one-half.

Q. And in the whole county together there were eight polling-places?—A. Eight.

Q. Do you remember the number of votes that were put into the several polls—the vote in the aggregate?—A. I think it was about forty-seven hundred.

Q. At those four polling-places?—A. No; at the whole eight. You said did I have any idea of the aggregate amount in the whole county; that is the way I understood the question.

Q. Do you mean that that is the aggregate vote of the county on both sides?—A. That was about the number of votes cast in the entire county.

Q. Do you remember what proportion of the forty-seven hundred votes that were cast were cast in those four polling-places in the village?—A. I do not remember; I could not say.

Q. Give us your best impression whether it was about one-half, more than one-half, or less than one-half of the votes in the county.—A. It was more than one-half. I expect there was three-fourths of the vote polled at those four precincts; I mean three-fourths of the aggregate vote of the entire county.

By Mr. MERRIMON:

Q. You have told the committee, on your cross-examination, that you were arrested for ku-kluxing.—A. No; I said that I was arrested under an omnibus bill for riot and intimidation in 1870.

Q. What was done with you?—A. I came in under General Grant's proclamation of pardon. Nothing was ever done. I just gave bond, and that was the last of it.

Q. They never prosecuted you?—A. No, sir.

Q. Was there any ground for this proceeding against you?—A. None whatever. There was a riot there in 1870, but I was at school at the time.

GEORGE W. BUSH—AIKEN COUNTY.

COLUMBIA, S. C., *December 30, 1876.*

GEORGE W. BUSH sworn and examined.

The WITNESS. I would ask the indulgence of the committee to speak loud to me when questions are propounded, as my hearing is somewhat affected.

By Mr. MERRIMON:

Question. State your age, your place of residence, your business, and the political party with which you affiliate.—Answer. I am in my sixty-second year. I was born and raised upon my own plantation, where this riot occurred.

By Mr. CHRISTIANCY:

Q. Where what riot occurred?—A. The Ellenton riot. I understood I was to be interrogated upon that fact.

Q. Well, you had not been, had you?—A. O, no, sir.

By Mr. MERRIMON:

Q. What is your business?—A. Planting, all my life, sir.

Q. What political party do you belong to?—A. I don't know that I belong, in the sense in which the Carolina population stands in the political division of the parties of South Carolina, to one more than the other. In the way in which I understand the politics of the State I belong to the honest party. I am a native-born republican, and, as a matter of fact, of course I favor republican government—what I understand to be republicanism North; I am as much of a republican as the people there are. I have always voted the democratic ticket. I have always supported the Government with arms, and never against it.

Q. State whether you know anything of what is commonly called the Ellenton riot, in the section of the State from which you come; and, if you say yes, state all that you know about it as succinctly, clearly, and carefully as you can.—A. I do know something about it.

Q. Well, go on and state, in your own way, what you know about it.—A. Am I to understand that you expect me to relate the origin and everything that would have a bearing upon that uprising, and of the displeasure that arose prior to the consummation of the riot, or after, or at the time that it began?

Q. We want to know everything that will throw light upon it, and you can go on, and if you say anything that is not proper we will stop you.

By Mr. CHRISTIANCY :

Q. You understand that we don't want anything except what you personally know.—A. As a matter of course. We have five senses through which we receive information ; if there is any one of these senses—as a matter of course I could not taste nor smell anything pertaining to it—but what I have seen and heard of my own knowledge would be admissible testimony ; what I have heard, directly or indirectly, would that be admissible ?

Q. You cannot state here generally what other people have told you, but state your own knowledge of anything.

Mr. MERRIMON. You can tell what any of the negroes told you.

Mr. CHRISTIANCY. What they who participated in the riot told you.

A. Well the feeling for years has been very unpleasant directly in my neighborhood between what I term the roguish portion of the community and those who are laboring and procuring an honest living. We have had organizations there which are ruinous to the country, with a gun upon one shoulder and a bag containing, may be, from three to five yards of cotton Osnaburg, going about from house to house. That has been the state of society there for many years.

Mr. MERRIMON. Well, go on, sir.

The WITNESS. There was an effort made on the part of the leading citizens to check it.

Q. When?—A. We entered into it, I think, some time in the spring. There was a party there that did not go into contract with any one who had no visible means of support ; they would go from house to house and would make application for employment, and could not be procured on any reasonable terms, and we thought it advisable to get rid of that class of people, and we proscribed them, as many as six, having no regard to politics in any shape or form. There was six men proscribed on account of their bad character. They were men that had no profession, and they had no permanent homes upon our plantations, and we agreed among ourselves that we would not employ them. They were not living upon our plantations, except as they would slip through the houses. That party still remains in the neighborhood, but they do comparatively less harm than formerly. Our stock had been killed and our crops had been stolen frequently, and now the killing of the stock still continues, but we cannot trace it to any one in particular. This engendered an ill-feeling with those who counseled with us and were honest ; and they could not be induced to go into any permanent arrangement with us against this rascally portion of the community, to aid us in getting rid of that class of the population.

I am an old man, and I have not undressed myself but three times since the 20th day of last March was three years ago. I have been kept up for the purpose of trying to guard and protect what I have. I had once in my life a right pretty property, but I was reduced——

By Mr. CHRISTIANCY :

Q. You have not undressed yourself since when?—A. The 20th day of March will be two years ago since I have undressed myself to go to my bed, with the exception of three times, and that was after I had procured some one to stand guard around my possessions, and I have got some one employed this minute to guard what I have. These gentlemen said they would remain and guard my place until morning, and consequently I undressed myself on these three occasions.

By Mr. MERRIMON :

Q. What do you mean by that—that you didn't sleep any?—A. No, sir; by no means, as a matter of course. I would have been dead without sleep. I mean by that, in consequence of the roguishness in the neighborhood of my house where most of my crops were kept, it was a practice among them for the last three years to visit my house from three to five times every night and I could see their tracks; they would poison my dogs and get them out of the way so that they could get access to my plantation. I do not mean to say that these six that we proscribed were the only ones to do this, and there were white men as well as negroes in this. But I kept my clothing on, that I might rise up quick and be ready when my dogs gave warning of the approach of a stranger.

Q. Well, come down to the riot and tell us about that; whether you observed any demonstrations among the negroes, and if you say yes, what the demonstrations were, and what the first thing was that attracted your attention. In the first place, tell us where you live; how far you live from Rouse's Bridge, and how near to Ellenton?—A. I reside directly between Rouse's Bridge and what is called the Double Bridges. My plantation runs down to the river, between six and eight miles in length on its longest point.

Q. How far from those two bridges?—A. I suppose two and a half miles directly up the run to the nearest point; but if you go around the roads I suppose you would have to go some four or five miles, maybe six; but on an air-line I suppose it is three miles.

Q. Which side of the river do you live on?—A. The river or the run—the Upper Three Runs? This bridge crossed what is known as a stream about twenty miles in length.

Q. What is it called?—A. The Upper Three Runs.

Q. Which side of the Upper Three Runs do you live, the north or the south side?—A. On the northwestern side.

By Mr. CHRISTIANCY :

Q. You are between Rouse's Bridge and the Union Bridges?—A. The Double Bridges.

By Mr. MERRIMON :

Q. Now, go on and tell anything to us that you saw.—A. The first thing we heard—I had heard——

Mr. CAMERON, You need not state what you heard.

Mr. MERRIMON. State what you saw.

A. I never saw the persons; I could not get at it well and make it comprehensive to you without stating this, something about the rumors that I heard.

Q. State anything you heard from the negroes.—A. I heard a negro—that man Dave Bush told me—that came directly—that I had heard from other sources came from negroes, but through white people; but Dave Bush told me that the white men had killed one of their men, as he called it.

Q. Who was that man?

Mr. CAMERON. If he told you.

The WITNESS. The man that was killed?

Mr. MERRIMON. Yes.

A. I cannot remember the name of the man that was shot. The warrant was placed in my hands at the time for the arrest of one of the colored men, and I was called upon as a mediator to try to reconcile the difficulty between the two parties.

Q. Who was the man, and what was he shot for?—A. According to the negroes, if I am allowed to state what the negroes' statement was, he was shot without cause.

Q. What negro was that?

The WITNESS. That was shot?

Mr. MERRIMON. Yes.—A. He said the negro that was shot at Mr. and Mrs. Harley's.

Q. Go on and state what he said about that.—A. His declarations were that he was shot without cause, and that they might as well shoot him as to shoot a man of his color, and he would retaliate; that he never would be satisfied until they killed as many of the whites as they did of the colored population.

By Mr. CHRISTIANCY:

Q. There had been but one killed?—A. I don't know that any one was killed, but that was his declaration.

By Mr. MERRIMON:

Q. Was there anything else that he said?

The WITNESS. Would I be permitted to state why it was, what gave rise to his telling me this?

Mr. CAMERON. You can commence and we will see; we don't know whether it will be proper or not.—A. Well, sir, I overheard him calling to some white men that were riding the big road; I suppose it is two hundred and fifty or three hundred yards from the house that I had assigned him to live in; he was standing about two hundred and fifty yards from the building, and the white men were riding on the public road, going in the direction of Mr. and Mrs. Harley's house at the time that he called to me.

Q. How many white men were there?—A. Three.

Q. Do you know who they were?—A. Yes, sir.

Q. Well, who were they?—A. One was Robert Dunbar, familiarly called captain, on account of his identity during the confederate war. I think he occupied a position as captain, and has been familiarly called captain since. Mr. Lewis, the telegraph operator at Ellenton—I don't know his given name, and a young man, Willie Hankerson, was the other. One was on horseback and two in a buggy.

By Mr. CHRISTIANCY:

Q. They were going toward— A. They were going up the road leading in the direction of Mr. and Mrs. Harley's, which was some six or eight miles away.

By Mr. MERRIMON:

Q. Well, sir, proceed.—A. When they got nearly opposite his house—I had previously met them in the road about two hundred and fifty yards below where I heard him calling—they had traveled that distance, and I had gone perhaps as far when I heard him holler.

By Mr. CHRISTIANCY:

Q. Heard this colored man?—A. Yes, sir; I heard him call in such a manner that it attracted my attention and I turned my head. I discovered that when he hollered he did not turn his face directly toward them. He said, "Ee! I will be there to-night if I ain't killed." That was his remark. That aroused my suspicions that there was something on foot among them.

By Mr. CAMERON:

Q. What day was that?—A. On Saturday prior to the commence-

ment of what was called the Ellenton riot at Rouse's Bridge on Sunday evening. They proceeded on the road and didn't appear to notice him. I rode down the road, I suppose, about half or three-quarters of a mile on my plantation road and deposited a couple of letters which I had brought from the office for my nephew and one of my tenants. On my way I met some gentlemen from the lower neighborhood, and it seemed that their attention had been called to the fact that from some source—they did not pretend to tell me who informed them or what had occurred, but it seems that they were going in the direction that the others had gone.

By Mr. CHRISTIANCY:

Q. That was toward Rouse's Bridge?—A. Toward Mr. and Mrs. Harley's.

Q. That would be in the direction of Rouse's Bridge?—A. No, sir; Rouse's Bridge would be rather a northeast course; they would have been going more north. They inquired of me what the state of feeling in the neighborhood was, and said that they were on their way—that they had heard that there was a disturbance at Mr. and Mrs. Harley's house, and they were going up there to protect them; they had understood that there was a probability of a riot there, and asked me if I had heard anything of it; and I related just what I have related here; what had fallen from the lips of Dave Bush.

I went and delivered those notes and returned immediately on the same road that they had gone. On my return I passed by the house of this negro, Dave Bush, that was on my plantation immediately between my house—there was a nearer road that I could go up to my residence that I had turned out of part of my pastures, and it was a regular wagon-way there that I traveled over. I passed by the door and I saw his wife and another woman, one of my milkmaids, standing in the door, and I asked her where her husband was, and with that he got up and spoke to me very respectfully. He was a negro of very bad character, but I employed him; his character was objectionable with me, and I was afraid to have anything to do with him, but he pledged himself that he would behave himself properly, and if ever me and my wife heard a word fall from his lips or there was any act of his life that we didn't approve of, he wanted us to reprove him for it. I believed that I was at perfect liberty to call his attention to the position that he then occupied. I was not aware at that instant, however, that he had attacked the same party that followed Dunbar in the same manner—I mean by words. He took his gun—

Mr. CAMERON. You need not state that; you do not know that of your own knowledge, do you?

The WITNESS. He admitted that he had been there, when he returned; that he had started, but did not go all the way.

By Mr. CHRISTIANCY:

Q. Where all the men were?—A. Yes; the men that I have just mentioned said they were going to protect Mr. and Mrs. Harley.

I spoke to him and called his attention to the impropriety of his conducting himself in that manner. I said, "Dave, what in the world are you thinking of to address yourself in the manner in which you did to those men passing?" He made reply—he admitted what he had done, and said, "I don't know," he says, "I thought it was Johnny and Pulley," alluding by name to his former young masters that were raised boys together like himself. "Well," says I, "It wasn't them; but even if it was them I don't think it was very respectful of you to address your-

self in that way to them." Says I, "What was their business, do you know?" He says, "I do; they were going up to protect Mr. and Mrs. Harley." "Well," says I, "If that be the case was there any impropriety in their doing so; did that interfere with you or your business?" "Well," he says, "no, sir; only if you kill one of my color you might as well shoot me." "Well," says I, "I would advise you now to attend to your own business and let other people attend to theirs. You promised me that you would obey or accept my counsel, and I advise you now to attend to your business and let others attend to theirs."

I rode on to the house, but seeing these gentlemen passing in the way I did—I had previous warning, but that don't seem to be admissible before you gentlemen—I had warning of such a nature that I felt alarmed for my own safety. I usually kept my arms in tolerably fair condition. I keep a double-barreled gun, and I had once had a lot of pistols left on my hands while keeping a store some years ago—my brother had kept it, and they were thrown carelessly on my hands. However, ever since November, 1854, I have been in the habit of carrying fire-arms constantly. I have been shot at repeatedly in my life; that is, I had been shot at once, and a cap bursted a second time, and I made a vow, which I considered sacred, that I never would be caught without arms again, and since then I have worn side-arms, except I was in bed, or something of that sort. Besides having some regular pistols that I kept by me for use, I had another pistol in my secretary drawer, and I took it out and thought I would load it; that I might have a need of something of that kind. Well, after I had got through loading it, this man and his wife walked by me, within forty feet of me, I suppose.

By Mr. CHRISTIANCY:

Q. What man was this?—A. This man Dave Bush with his gun in his hand, going in wh: t might be termed, not an air line to Mr. Harley's nor yet an air-line to Rouse's Bridge, but rather a medium between.

Q. What time was that in the day?—A. Saturday evening.

Q. About what time of day?—A. After dinner.

Q. In the afternoon some time?—A. I had just had my dinner, and had rode out and deposited the letters and came back again.

Q. Was it about one or two o'clock?—A. Somewhere along there; somewhere about two or three o'clock, I suppose. I haven't seen that negro since.

Q. Haven't seen his dead body since?—A. No, sir; I saw one dead body only, sir.

By Mr. MERRIMON:

Q. Well, go on with your narrative of facts.

The WITNESS. I am not permitted to state what any white man says, but I am permitted to state in this matter what the negroes have said.

Mr. CHRISTIANCY. So far as I am concerned you are at liberty to state what any of the negroes told you who were engaged in that transaction, and not otherwise.

Mr. CAMERON. You are at liberty to state what any negro said to you who was engaged in those disturbances, and not what any other negro said to you.

The WITNESS. Now, that's the trouble. I suppose the negroes that were at that instant—do you mean at any time since that time?

Q. No, sir; at any time during this Ellenton riot troubles, continuing for two or three days, as the case may be.—A. Do you confine me strictly new to those that came under my knowledge, that was actually engaged in the riots?

Mr. MERRIMON. That you saw moving about or talking about it.

Mr. CHRISTIANCY. Not necessarily talking about it. Very innocent men might be talking about things; but those who were engaged in some hostile attitude toward the whites.

The WITNESS. As far as that is concerned, it is placing me in rather a delicate situation, for some of the negroes on my place, professing great friendship at that instant, were in conversation with me on Saturday evening, and were asking me as to what course was most consistent for them to pursue. They pretended that they had thought of coming to see something about it. This was on Saturday.

By Mr. MERRIMON:

Q. See something about what?—A. This shooting of this negro up at Mr. and Mrs. Harley's house. I advised them to go to their houses and remain there and everything would be quiet; that nobody would be harmed. I suppose that they had seen white men passing in parties sufficient to warn them—to alarm them, according to their representations; and I advised them to go to their houses; that they would be free from danger if they attended to their own business and let other people attend to theirs.

These men told me that they did so; but if I was permitted to state what others said that were not engaged in the riot, they stated differently. Two of those same men came to me on Monday after the riot had occurred on Sunday and requested me to go with them to bring about a reconciliation between the parties. They knew that I had been with them on Sunday, and had taken the responsibility on myself to try and bring about a reconciliation between the parties. I met the negroes myself, and they proposed my name on account of my age and position.

By Mr. CHRISTIANCY:

Q. You met what negroes?—A. I met a man by the name of Nelson Bush, I think—he sometimes goes by the name of Nelson Weathersby—at Rouse's Bridge.

Q. That was at Rouse's Bridge?—A. I am now going to Rouse's Bridge from this point, since I am not permitted to relate anything generally as to what transpired—

Mr. MERRIMON. I would like to hear him relate these things in general to see whether it is admissible or not.

Mr. CHRISTIANCY. I think we had better keep within the rules of evidence.

Mr. MERRIMON. This is the first time the committee have prevented me from allowing witnesses to state what a negro said. We are here for the purpose of showing that the negroes were intimidated, if you can show it. It is alleged that the Ellenton riot was a movement to intimidate the negroes in the matter of their politics, and to prevent them from voting, or to compel them to vote the democratic ticket. Proceeding upon that idea it has been the practice of the committee from the beginning of this investigation to allow the declarations of the negroes to be given in evidence one way or the other; and now, for the first time, it is decided that I cannot give in evidence the declaration of a negro, unless it is a declaration of hostility to the white people in connection with that riot.

Mr. CHRISTIANCY. We have not the slightest objection, if you will show first that these men were engaged with the negroes whose acts are complained of.

Mr. MERRIMON. One of the means of showing it, and a very material means of showing it, is their declarations; the witness says that there

are many facts which he knows that the committee will not allow him to state.

Mr. CAMERON. We will allow him to state any particular fact pertinent to this inquiry. There can be no facts which are material unless they are pertinent to the inquiry.

Mr. MERRIMON. (To the witness.) Go on and state what happened before you went to Rouse's Bridge, and we will see whether it is competent or not.

Mr. CAMERON. You can state any conversation that you had with any negro who was engaged in those troubles; but negroes who were not engaged in the troubles, you cannot state their declarations with reference to the troubles.

The WITNESS. Neither prior nor since?

Mr. CAMERON. No, neither prior nor since.

The WITNESS. Can I give the statement of those that were connected with the riot, only so far as going to see the negroes that was in the riot?

Mr. CHRISTIANCY. You can state any declaration that they made that tended to show that they were connected in any way with these men. But the simply going to see a dead body, that would not make their testimony admissible.

Mr. MERRIMON. O, no; you can simply give to the committee any declaration made by a negro in your presence, which tended to show his participation in the Ellenton riot. You can make any statement as to what any negro told you, during the riot or after the riot, which tends to show his connection with the movement in any way.

Mr. CHRISTIANCY. We are to judge, I suppose, whether it tends to or not.

Mr. MERRIMON. Yes, sir.

Mr. CHRISTIANCY. Therefore the witness should not be allowed to go on and state what is admissible testimony for the purpose of showing whether it is admissible or not.

Mr. CAMERON. Go on, Mr. Bush; I think you understand the directions of the committee, and you will keep within the rule.

The WITNESS. I am personally acquainted with a good many of the negroes, some of which I saw in person sufficiently near to recognize them.

By Mr. MERRIMON:

Q. Where?—A. At Rouse's Bridge.

Q. Well, go on.—A. On Sunday, after breakfast, I rode out and fell in company with a gentleman who was in pursuit of this man Pope, for whom he had a warrant. You overrule my making mention of anything that passed between the white gentlemen.

Mr. CAMERON. Yes.

The WITNESS. They proceeded in pursuit of where the negroes were found.

By Mr. CHRISTIANCY:

Q. That is up at Rouse's Bridge?—A. At Rouse's Bridge. When they got into what is known as the deep wash in the road, where it was some fifteen feet deep in some places, and from four to six at the shallowest point, I was riding in front of the majority of the men that seemed to be—

Q. Going along with you at the same time?—A. I was riding in the front.

Q. How many men were there, let me ask you.—A. I could not tell you that.

Q. O, but about how many?—A. Well, sir, I could state what I heard.

Mr. MERRIMON. Just give your estimate.

A. Well, sir, I supposed there was one hundred or one hundred and fifty probably. When we got to what is known—I have seen a map made of the place; I am familiar with it myself—

Q. No; don't state that; go on and state the facts as rapidly as you can.—A. When we got clear of the cut, so that we could see, our attention was attracted at the yelling of the negroes, and some white men came running back that had preceded the crowd that I was along with. One of them reported—

By Mr. CHRISTIANCY:

Q. One of what?—A. One of the white men—that the negroes wished to have a conference with those in command. At that instant, to the best of my knowledge, there was two guns, though many said there was but one gun, fired.

By Mr. MERRIMON:

Q. By whom?—A. It was fired there in ambush, from the best information that I could get at on the part of the whites; and on the part of the negroes, they testified that they didn't know who done it; but to the best of my knowledge, I thought I could hear a distinction in the report. I have been accustomed to arms all my life, and I have known guns fired so that there would be but one report.

Q. In what direction did this report come from?—A. Between the two parties; and at that instant those in command of the whites that felt that they occupied the most conspicuous place, ordered the party to about-face, and they retired back up the road again for about from four to six hundred yards.

By Mr. CHRISTIANCY:

Q. That is, they retired from where you were?—A. Yes, sir; from where I and they were.

Q. And that was an advance toward the colored people, was it not?—A. O, no, sir; directly from them.

By Mr. MERRIMON:

Q. A retreat movement?—A. A retreat movement; it was nothing else. On coming out of the cut, they opened to the right and left. During their progress up the cut, there were two additional reports, distinct one from the other.

Q. Two additional reports of what, the discharge of fire-arms?—A. The discharge of fire-arms, either guns or pistols, I could not say which. From the noise, however, I was inclined to believe that they were not very heavily charged.

Q. What direction was that; was it on the rear, the front, or the flank of your company?—A. It was not on the flank, but to the right as they about-faced, near an old mill, in a sort of pine-sapling thicket.

After coming out of the cut, (I was among the last that got through there,) I saw a negro at a distance of some four or five hundred yards, making his way to where the whites had previously come from, which was rather a northern course. It proved to be a man by the name of Nelson Bush or Nelson Wethersby; he goes by two names. I rode to him myself, seeing him in a hobbling condition; he was hobbling; he had been shot through the fleshy portion of the thigh; it was a flesh

wound. I asked him who did it. He said he did not know. I asked him where he had been, and what he was doing; and says I, "Are you hurt anywhere else?" He said, "No, sir." "Well," says I, "who are those men going yonder?" He told me it was a man by the name of Overstreet—I suppose, two hundred yards, going still in the direction of where the negroes were yelling.

Q. A white man, or a colored man?—A. A colored man. This colored man made a statement, referring to the colored men whom I did not see. He told me that he was wounded. He asked me if there was a physician amongst the party, and I told him that there was. I did not examine the wound, to know whether it was serious or not, until we got to the lane near where these men were; I took him right along to where they were. I said to him, "Come along, they won't interfere with you;" and he went with me to them; and about that time some six or eight or ten men gathered around him, and asked him to show where he was hurt. As soon as they was opened, I could see that the ball had went in one side of his pants and come out the other, and I knew there was no lead there; and I remarked to him, "You have got a bad wound there, but I don't think it serious; and I will get a doctor for you if you desire it."

About that time it was mentioned by the most prominent men that there were among the whites that we must have somebody to confer with these negroes. They had sent in to have an interview before the engagement, and that they must have a conference.

The negro man told me that he didn't feel well enough to go. "Well," says I, "if you are not well enough to go, can you tell me of some one that will go?" and he said, "You will find some one at the house, at Mrs. Amanda Bush, at the end of the lane." I rode back, I suppose, for a mile, and when I got there there was no male negro on the place, according to their representations. I found two or three negro women; one of them was the wife of Nelson Wethersby that was wounded. I asked them if they would go and bear a communication to the other negroes, and they consented to do so; said that they would go. This man Nelson Bush's wife was among them, and when she proceeded to go along with the other women, when he got there he stopped her, and would not permit her to go. The other negro knew me. She was a young woman; was the daughter of a negro that I once owned, and she had confidence in me, and knew that what I told her she might rely upon. She still said that she would go. We went on to where these gentlemen had dismounted, and they were in consultation.

By Mr. CHRISTIANCY:

Q. These white people?—A. Yes, sir; the whites; and I made known as soon as I got there—it was proposed that she should go there, and she wanted to know who would meet them. There was no one, I suppose, that felt that they would be safe in meeting any one of them under the circumstances, as the firing had been done by them, as all the whites believed. I voluntarily told them that I would take the chances, and that I would go and confer with the negroes. Says I to her, "Tell them old George Bush will meet any one of them there if they will come there unarmed at the end of the lane"—right where we had retreated from.

At that instant one white gentleman that was present that had the warrant, or had a knowledge of the warrant—up to that time I had not seen the warrant—he called to me and said, "Here, George, you had better take this warrant along with you, and let them see it, to show

them that we are acting under a warrant for the arrest of this man Pope, and learn whether he is there or not." They handed the warrant to me. I took it down with me, and I went to the end of the lane with this negro, and she went on from there, but she never returned. I remained there an hour. I suppose she went on to the negroes, which was not more than one hundred and fifty steps from where I stopped, or two hundred at the outside.

Q. Describe how these negroes were situated; were they in a swamp or woods, or in a field?—A. The dell or swamp lay between two fields; the dell seemed to be on the opposite side in the edge of the field where there was some houses. Whilst I was at the end of the lane, though they had crossed over and had come into the big road, and seemed to occupy rather a defended position, rather as spectators than otherwise, I could see them; they were some two hundred yards, probably three hundred, from me.

No one met me, and I returned, and reported that they had failed to come in. I thought it was unnecessary for me to remain there any longer. Before I reached the whites, my attention was called by some of the whites, who made signs to me that there was somebody coming toward me from the place where I had come from, and I turned around and recognized it was a negro man, who was bare-headed, and he waved his hand to me in that manner, [indicating;] he beckoned to us, and I waited for him, and he told me that this woman had come to them and told them my message, and that her uncle, a man by the name of Aleck Bell, had stopped her and said it was no place for a woman to be, and that she should not come back at all; and he, knowing me as he did, voluntarily came, at the instance of Jim Riley, who was said to be the captain of that organization. He stated that Jim Riley said that he would meet me provided that I carried no arms, and that he would carry no arms; that we would meet there without arms; to which I consented.

He then asked me where his former young master, Jefferson Wethersby, was. I said he was up the lane. He said he wanted to see him. "Well," says I, "if you do you can go right along; they will not interfere with you." He asked me if they would not hurt him, and I told him no, and told him to go along, and he went; and they had an interview, and they both returned to where I was, and we proceeded down to where Jim Riley was to meet us. It was just below a few steps where there was a little old house. I discovered him in a store some fifty or one hundred yards from where I had previously been, and I and Jefferson Wethersby and the negro Nelson Wethersby proceeded to the store where he was. We had some conversation, and this man Jim Riley told me that he had been taken by surprise; that they waked him up in the night; that the negroes there had given the alarm that the whites had been doing something that they were not warranted in doing, and he had got up, but that he didn't want any fight, or something of that sort. He still had his gun, and kept it in a position that I felt a little unpleasant about, but I didn't give him to understand that I had any uneasiness at all. He kept the musket directly in his hand, and one hand on the cock of the gun, I suppose intending, if I made any attempt to do him any injury, to defend himself; but he didn't offer to do anything wrong with me.

We had some conversation there. The first proposition he made was that there should be an interview. After I had shown him the warrant which had been handed to me, and told him what the condition of matters were, he said, "Well, I can't read it, but," he says, "I know that you won't misrepresent it to me. I assure you that that man ain't here.

Let's let the matter all stop where it is." Said I, "There's a good many of you here, and the neighborhood generally is very unpleasantly situated, and I had rather have some stronger guarantee than your individual assurance in that matter, and you had rather have some stronger guarantee than my individual assurance." Says I, "Do you send for some five or six others that is engaged in this riot here with you, and I will send for a similar number, and let them all come together and understand one another in this matter." He acquiesced in the proposition, but, at the same time, seemed to do it reluctantly, saying that the United States would have to settle this matter. I could not see, for my life, why the declaration was made.

Mr. CAMERON. No matter about that; just state the facts.

The WITNESS. He named a man by the name of George Washington, and Ben. Stallings, and Council Wethersby, Jim Kelly, and I think there was two or three others. Nels. Wethersby was still present, and he sent Nels. to bring them. I told Jefferson Wethersby to return and bring the colonel and P. F. Hammond and Angus T. Brown, and any others that they might think proper to bring, and come to meet these men in conference.

Q. That is, you sent word to the whites?—A. Yes, sir; by a white man. Each party went and reported. The negroes came a few minutes before the whites, as they were nearer at hand. One of them seemed to be very reluctant to come—one of Holland's constables—a negro named Pock-marked John Hankerson, a rather suspicious character. Riley said to him, "Come along if you are coming, and if you ain't, go back and tell some one else to come;" and I saw that he still was reluctant to come. I knew that negro, and I spoke to him. Says I, "John, if you don't want to come into this matter there is no compulsion; but if you really desire, now, that we shall make a peace that shall be satisfactory to all, I insist that you shall come; but otherwise, if you don't feel like going into it, you go back and send whoever Riley tells you to, and we won't object." A few minutes afterwards the whites were in sight, and they rode up. There was some words passed between them, nothing of a threatening attitude in any manner or form, but simply by way of explanation on the part of the colonel, who was present, who seemed to be the spokesman on our side in the conference.

Q. Who was the colonel?—A. We called him colonel—that is the title——

Q. Well, who was he? What is his name?—A. A. P. Butler; that was the man that I had sent for.

Q. He was the one you call the colonel?—A. Not in the sense that military men usually do, but he has been familiarly known by me ever since the war, though I never was intimate with the man. I had seen him three or four times before. He was the person that ordered them to about wheel; that is the reason why I presented him. He declined to take any position when I first came in and talked with them; but you won't allow me to relate that matter, as I understood it.

Mr. CAMERON. No.

Mr. MERRIMON. Just relate what happened at that conference.—A. At that instant it seemed, from the best of my knowledge, that that was the first time he took command there, and when he came up he spoke to the negroes in a respectful manner, and told them what they were there for; that they were in search of a man by the name of Pope; and had a warrant for him, and at that instant—I knew this man John Hankerson could read, and said I, "Yes; if you question his veracity upon that, John, here is the warrant." John stepped forward and took

the warrant and read it out, and said it was all right; that they must submit to the law; but they gave the whites the assurance that this man Pope was not with them, and hadn't been with them. With that it was mutually agreed that the matter should drop where it was, and each party would disband and go to their respective homes.

Q. When was that?—A. That was on Sunday evening.

Q. About what time in the evening was it when this agreement was come to?—A. That agreement was come to, I suppose—I left soon after my breakfast, and it was about ten miles to where I met them, and we rode together some four or five miles—I suppose it was about three o'clock, possibly four, at that time that this meeting took place and each party agreed to disband. The whites returned on the direct road to their respective homes; for a mile returned northwardly in the direction from which the colonel came; and all the whites returned in that direction that was on the ground. There was some of these men that were present that could have gotten home within a mile and a half by going through the lines where the negroes were; but they took a road which from necessity took them at least seven or eight miles to their homes. I think it is nearer eight than six. Some would not have had to go but a distance of from one to two miles who traveled at least eight miles; but they went this longer route so as to avoid an issue, and it was thought prudent that both parties should retire in a different direction for a mile or so, and I suppose four-fifths of the organization returned up the road.

Q. That is, the whites?—A. Yes, sir; the other portion passed down in the direction of the Double Bridges.

Q. That is the other fifth?—A. Yes, sir; they started and they traveled out when they got—those that had to go down in the lower neighborhood were not exceeding ten, fifteen, or twenty, but the organization proceeded down the road, passing my house, and we thought everything was easy; didn't dream that there was anything wrong.

By Mr. MERRIMON:

Q. Did you observe any movement on the part of the negroes before leaving the place of conference?—A. Not a particle; but when we had got up to the head of the lane, about a mile distant from where they was gone, there was couriers sent back to see whether—

By Mr. CHRISTIANCY:

Q. When who had got?—A. The whites. When the whites had gone a mile from where this matter had been settled, they sent couriers back to see whether the others had kept their promise. We were so confident that the matter was settled satisfactorily to all parties and the men so anxious to go home they did not wait for the return of the couriers, and I had gone on home, and was not there when the couriers returned. These gentlemen that went came back shortly afterward—the couriers, according to the reports that was communicated afterward to us, they returned and stated that the colored companies had received some re-enforcements from what is known as Gloster Holland's neighborhood, and they had got a lot of guns which had formerly been given to the militia in Governor Moses's time, and I suppose their arms were still in their possession.

Q. You need not state what you suppose.—A. Those couriers said that they had not disbanded, but that they had received some additional re-enforcements, and it was all that they (the couriers) could do to keep from being killed.

Q. This was their report?—A. This was their report. That gave rise to an effort on the part of the whites to assemble a second time. A man by the name of Thomas Wethersby, whom I hadn't seen, but whom I heard from the negroes—

Q. A white man?—A. A white man. The result of the information received from Mr. Wethersby was that I was solicited to return there to make a settlement with them again. I told Mr. Wethersby that as soon as I could catch my horse I would follow, and asked him if he had informed the other gentlemen in the neighborhood of what had transpired, and he told me that he had to some extent.

Q. When was this transaction?—A. Just a few minutes after dark. I hadn't had any dinner. I got my horse and hitched it, and I went to my wife and asked her to have something put on the table for me to eat, and I went into my room, where I usually took my meals.

Q. Never mind that; just tell us what you did.—A. You can see from the declaration, perhaps, more clearly the position that I occupied. It was so dark that I could not see very well without a lamp, and a lamp was lit and put upon the table; and at about that instant I heard some firing at the Double Bridges.

Q. That is what is called the Union Bridge sometimes?—A. Well, it sometimes may be called that way, but we generally call it the Double Bridges, on the Upper Three Runs, where this man Bush was killed. My wife was so much alarmed, knowing that I had to promise to go to Wethersby's at the upper bridge, that she began to cry, and to satisfy her I told her that I would not leave her; and I went to a negro man on the place and sent him to go and see what was the matter.

Q. Who was he?—A. Henry Spikes, a negro from Georgia.

Q. A man living on your place?—A. He was at that time on my place. He was gone, I suppose, an hour, and he returned and reported that Basil Bryant had been killed.

By Mr. MERRIMON:

Q. Who is Basil Bryant?—A. A negro man. I remained at home the remainder of the night, on guard. The next morning, about sunrise, two negroes upon the plantation—their names I will not mention, and others say they were in the riot. They said they were not, but the circumstances were so directly against them I have no doubt but they were. They asked me to go with them to the Double Bridges to try to stop this fuss. I asked them if they thought it could be stopped. I was satisfied in my own mind that they were along with them. My suspicion was of such a nature that I proposed to have an interview with two chief characters that they thought had some influence—very prominent negroes.

Q. But proceed.—A. Those two negroes that came to me and tried to get me to go and bring about a reconciliation between the negroes and the white people, they gave me to understand that they were fearful that the whites would hurt them if they did not go under the protection of some one. I told them to remain until I got my breakfast, and I would give them their breakfast and would go with them.

By Mr. CHRISTIANCY:

Q. This was on Monday morning?—A. Yes, sir. In a very short time after that there was some five other neighbors of mine came to my house. They had heard, I suppose, of the shooting that had taken place at the Double Bridges, and wanted to learn what had transpired there and how things were. I told them that I was in perfect igno-

rance of anything at all; could not tell them anything outside of what these negro men had told me; that I did not suppose they were implicated in the riot. I told them of the approach of those two negroes that was in the yard for the purpose of trying to bring about a reconciliation, and told them to go down and get something to eat, and after we got breakfast we would proceed to see if we could not bring about a reconciliation. I suggested to them to go up the big road a certain distance within, I suppose, half a mile, may be not quite so far, of the Double Bridges, and I would go in company with these two negroes through my plantation, a nearer route between the place where we were and where they were reported to be.

Q. That is, between the whites and blacks?—A. Yes, sir. On my way I met a couple of negro women, and one of them was the wife of this man Dave Bush, coming from the riot.

By Mr. MERRIMON:

Q. Had she been in the riot?—A. Yes, sir.

Q. Just tell what they said.—A. She said there were two thousand negroes there at the Double Bridges, and that a man by the name of Bryant and others swore that they would not hear any talk of peace; she was present herself, according to the negroes. I believed it myself, because I knew her to be a bad woman and a bad character, and I had ejected her from my yard in the spring, and still she was imported by her husband on the place with certain restrictions; but I overheard the conversation that passed, and she said that they swore that they would kill any man, white or black, that came to them to say anything about peace.

I asked the men if they would still come with me, and they said they would. We went on, and when we got about, I suppose, a half mile, at a little store that was at the corner of my field, right at the Double Bridges, I discovered some negroes in one of my negro-houses, and I recognized one of them as a trusty old fellow that I had confidence in, and I just beckoned my hand to him.

Q. He was living right there?—A. He was living there at the time. He came to me, and he was somewhat under the influence of liquor, and he warned me that I was in danger. I told him that the object of our visit was to try and bring about a reconciliation. He didn't give me any encouragement at all, but told me that I was in danger if I went there. He did not know anything about these five white men being at the upper end of the lane. I felt that the speed of my animal would place me out of their reach if they had any hostile intentions toward me. I passed between the two parties—

Q. Between what two parties?—A. The negroes and the whites.

Q. How many whites were there?—A. I suppose there were five.

Q. Five whites?—A. Yes, sir; and those five had been requested by me, that if they saw any approach of colored men they should put off back and not fire upon them, which they promised me they would do. They were aware of what I was laboring to effect. These other two negroes went through, and I remained there.

After separating from this old fellow that I was speaking of, I rode to the corner of the lane where the white men were. Whilst there, I could see a good deal of stirring just in the rear of those negro-houses; they were passing to the rear, and the lands were somewhat broken, and I began to get uneasy for fear I might be cut off and perhaps killed, and I thought that they might go to my house and injure my family. I concluded I would return home; so I rode off into the valley there. I

suppose I rode back eight hundred yards from there, and at that instant I heard some rattling of horses' feet, and I looked around and I saw the white men running up the lane at the utmost of their horses' speed.

Q. Away from where the colored men were?—A. Away from where the negroes were, going back in the direction of my house.

Q. Those were the same white men that you had been with?—A. That I had suggested for them to retire. In a few minutes after that I saw three negroes come to the fence and make signs for me. They were on foot, with their hats off, having nothing in their hands but their hats. I thought I recognized one of them to be a man that my father once owned, by the name of Wash. Bush. I rode forward and met him. It turned out that this man had met with this man, Allen Flint; but some six or eight or ten of them had come up, and these men were sprung upon by surprise, and they retreated; but they were pursued by a man by the name of Solomons. He waved his handkerchief, and part of them returned, and the others never did come back; but I gave them an assurance that I would use my influence to suppress the riot, and request them to do likewise.

Q. They were colored men?—A. They were colored men. I returned home and got my dinner, and some of the negroes went along with me; and after dinner I had some curiosity to see if I could hear anything further from that country, as those men had declared that there was some thousand negroes that had been there, and these men reported that they had retired and gone in the direction of Ellenton. This man, Wash. Bush, told me that it was all he could do to save—

By Mr. CHRISTIANCY:

Q. Who is this Wash. Bush?—A. He is a negro—the one that came to me.

Q. Not one of those engaged with these hostile negroes?—A. This man, Wash. Bush, is looked upon in the eyes of a great many as being a desperate man; but in that Sunday-night fight he acted rather conspicuously in trying to reconcile the negroes that had been preparing for this emergency, according to his statement, and according to the statement of white men.

Q. And was still acting so?—A. As I thought so, sir; and he said that he followed them to Ellenton, and it was through his instrumentality that he succeeded in getting this man Coker, that was said to have been killed, whom I saw lying dead several days afterward, near Ellenton—he told me that he followed them, and that it was all he could do—

Q. You need not state that.—A. I omitted to relate one little instance that occurred that perhaps is due. This man Solomons—

Q. Who is he?—A. A white man. He handed me a note addressed to the man in command of the whites, not addressed personally to any one. I told him that I was not authorized, that I was not in command of the white men, but I was there as a mediator to get these negroes in; but says I, "I will do this much. I do not intend to prove treacherous to any party." These white men—I had no knowledge that there was another white man on the road at any point. I didn't suspect that there was a white man on the road above the Double Bridges. I thought those gentlemen had all gone home, and those five men were the only force on the part of the whites that there was in the neighborhood, and I turned this thing over to a man by the name of John Green, a white man, a neighbor, and requested him if he knew of any one whom he

could send to send it to them ; and a man did start with it, but whether he went to them with it I don't know. I never seen nor heard anything further from it.

Q. Do you know whom that note was from ?—A. It had the signature of a man by the name of Council Bryant—

Q. What was he, a white man ?—A. He was a negro—and this man Wash. Bush, that I have just spoken of, and Joseph Bowers—three negroes. It seems that they proposed to stop any further proceeding in the way of hostilities until they could have an interview with the whites. On Monday evening, as I related, after dinner, I found the road filled with white men.

Q. Near your house ?—A. Pretty much at the point where I had left those negroes, and they were in a moving condition on toward the bridge.

Q. Toward which bridge ?—A. The double bridges. I followed in the rear—

Q. About how many of those white men were there ?—A. About the same number.

Q. About what number ?—A. Between one hundred and one hundred and fifty men.

Q. Between one hundred and one hundred and fifty white men ?—A. I judged so. They crossed the bridges. I stopped at what I call Solomon's store, right at the corner of my field there. Not thinking it advisable for me to leave my family any further, I remained there. I had no interview with the men that seemed to maneuver the matter, in any way at all. I looked upon it that the negroes had violated their—

Mr. CHRISTIANCY. You need not state anything of that sort.

By Mr. MERRIMON :

Q. You can state whether they did violate their agreement ?—A. There is no question on that point ; they did do it.

By Mr. CHRISTIANCY :

Q. You have stated the facts as you went along ?—A. Yes, sir.

Mr. CHRISTIANCY. Well, then, it is unnecessary to state conclusions.

The WITNESS. They crossed the bridges, and I stopped at this little store.

Q. How far is that from the bridges ?—A. A hundred and fifty or two hundred yards—I suppose, possibly, two hundred yards. Those men went across and out of sight.

Q. Was there any assemblage of negroes there at that time ?—A. At the store ?

Q. No, at the bridges ?—A. I did not cross them ; I could not tell.

Q. Did you see any ?—A. I saw none but one old man ; at that instant I saw one old man. Afterwards some others did come up, but they did not appear to be in a hostile attitude.

By Mr. MERRIMON :

Q. What happened after that in connection with those disturbances ?—A. This old man's business there was to put the negro away who had been killed on Sunday night. It seems there had been an inquest on him and he said he received some—

Mr. CHRISTIANCY. You need not state what he said.

The WITNESS. Very well. That old negro went off, and there was an assemblage of some others, colored and whites together.

Q. At what time did the white men pass over the bridges ?—A. A few minutes after. I have no doubt but they returned immediately, as

soon as the others went on in the direction of Ellenton ; they may have been at Ellenton at the time, and I suppose they were, but they came up to where I was at the store. Among other things, language fell from the lips of the white men that I have not spoken since the time that I have related to you, my not undressing myself, as much as two years ago the 20th day of last March—I heard something fall from his lips, addressing himself to some white men and one colored man, relative to this man, Council Bryant, that pertained to his position.

Q. Who was Council Bryant?—A. He was the negro man that had written this note that I made reference to.

By Mr. CAMERON :

Q. Was that the Bryant that was killed?—A. No, sir ; he was not the one that was killed ; he is still living ; but I had received further information from some whites that that man, Council Bryant—

Mr. CHRISTIANCY. You need not state what that was.

By Mr. MERRIMON :

Q. State what you did, Mr. Bush.—A. The facts are simply this, that I heard that he was in the hands of these men.

By Mr. CHRISTIANCY :

Q. That who was?—A. This man, Council Bryant. I became satisfied, as a matter of course, from the standpoint that I took—

Q. Do not tell us that any more ; go on and get through.—A. I took a gallop from there and galloped, I suppose—

Mr. MERRIMON. We don't care how far you galloped.

The WITNESS. Between half and three-quarters of a mile. We found this negro in the men's possession.

Q. (By Mr. CHRISTIANCY.) In whose possession?—A. I don't know who they were.

Q. Whites or blacks?—A. Whites ; and I told them who I was ; and they had a negro that I once owned, by the name of Henry Clay. One man asked Mr. Robert Dunbar if he would vouch for him ; I was riding tolerably fast, and I took it for granted that it came from Dunbar's mouth that he said he would vouch for him. There were several negroes that they had along with them that they looked upon with suspicion, and the gentleman that had them in charge says, "If you gentlemen will vouch for them, we will just turn them over to you ;" and we said that we would ; and they told them to stand out, and they did it.

Q. Who was it said that?—A. The white men that met us made that remark.

Q. Who seemed to be the leader there?—A. I hadn't seen the leader.

Q. Who was it made use of that remark : "If you will vouch for them I will turn them over to you"?—A. The white man who was in charge. He was a stranger to me. I returned immediately home.

Q. I should like to know just where this last place was where you found these negroes in possession of the whites?—A. At the end of the lane between Williamson Newman's and Robert Dunbar's.

Q. Was it near the two bridges, as you call it?—A. It was three-quarters of a mile, may be half a mile from there.

Q. Which way?—A. Toward Ellenton ; between Ellenton and Reuse's Bridge ; but they had diverged from the main road leading to the double bridges.

Q. It was nearer to Ellenton than it was to the double bridges, was it?—A. No, sir ; about the same distance.

By Mr. MERRIMON :

Q. What did you do then ?—A. I returned home, and on my return I found some negroes and white men at this little store. I had to return right on the same course I came.

Q. About how many of each did you find there ?—A. As a matter of course, it is more guess than anything else ; there may have been eight or ten.

Q. Eight or ten of each ?—A. Not so many of both, but together, probably—ten or fifteen, white and black.

By Mr. CHRISTIANCY :

Q. What time of day was it you got there ?—A. It was after dinner ; in the evening.

Q. That was Monday evening ?—A. Yes, sir. When I left the store to go on to the house I halted, but didn't get down ; I halted my horse a few minutes. One of the negroes that was present, that stopped on my place—one of those same men that I refer to who wanted to go and see if he could not bring about a reconciliation—asked me not to leave him ; to ride slow so that he could keep up with me, and I did so. In proceeding home I met with some more strangers—white men.

Q. How many ?—A. I suppose there was—I could not form any definite idea as to the number—somewhere between twenty, or thirty, or fifty ; twenty or thirty, I suppose ; probably thirty. They inquired for Colonel Butler and his whereabouts. I learned from these men that they were on their way to Rouse's Bridge ; but then I suppose I am restricted from stating—

Q. That is the proper way to state it ; you learned that they were on their way to Rouse's Bridge ?—A. No ; the other white men were on their way to the Double Bridges.

By Mr. MERRIMON :

Q. State what was done.—A. These men inquired of us their whereabouts ; they wanted to know of me where Colonel Butler was going, and I had learned at the time I vouched for this negro that they were on their way on the opposite side of the run, going up to the Double Bridges. I gave that information to those gentlemen, and they asked if there was a nearer road that they could go than to follow him around, and I told them that there was my plantation road, and they insisted that I should direct them in that way. This negro seemed to be somewhat frightened and was anxious that I should not leave him.

By Mr. CHRISTIANCY :

Q. This negro lived on your place ?—A. Yes, sir ; he lived on my place. I told him that he need not apprehend any danger, that they would not injure him, and they went on and paid no attention to him. When we got to my house, it was getting so late that I persuaded them that they had better stop and take quarters at my house and not proceed any farther, and they insisted that they rather get nearer, so that if there was any need of their presence where we apprehended the greatest danger, which was at Rouse's Bridge—from the information that had been received, it was generally believed that they were in greater numbers there than at any other point, and the greatest number of those that we were passing in the road had come from there after the first disturbance. Consequently I rode up there with them. It was night when they got there. They staid there all the while, and did not go to the bridge at all. The next morning they came back by my house

and returned in the direction of Ellenton. There was no engagement from that time forward.

Q. That was Tuesday morning that they returned?—A. That was Tuesday morning that they returned.

By Mr. MERRIMON :

Q. Well, what else do you know? Were you at the winding-up, the settlement, when the Federal troops were there?—A. No, sir; not at the settlement. I heard of the settlement up at Rouse's Bridge. I saw some of the troops, after they had been in the neighborhood a day or two, passing; and it was rumored that there was some negroes fired upon in the direction of Robbins.

Q. State whether you saw the negroes moving about with guns in their hands.—A. I saw a great many on Sunday with guns in their hands, at the time that I was at the end of the lane waiting for the interview.

Q. Which way were they going?—A. They were stationary; seemed to be watching the actions of the whites.

Q. How many negroes did you observe during this time with arms?—A. I made no count.

Q. I do not expect you could give every one, but give us a general idea.—A. At Rouse's Bridge, the nearest case that I could see that was exposed in the open road, I suppose fifty would cover the number that I saw, though from the noise that was made I would judge it was much greater—at the time of the yelling.

Q. Well, what number at the Double Bridges?—A. They had a good many Monday morning, before I got there; that is from the say-so of others, but not from my knowing.

Q. Can you state whether, within your knowledge, the white people had any political motive in that move?—A. None on earth.

Q. Had you any political motive?—A. No, sir.

Q. Had you thought of politics?—A. Not in the least.

Q. Did you see or hear anything that led you to believe so from any one?—A. Well, if it was, it was on the part of the colored population; they were suspicious. The declaration or reports from the negro Bush would warrant me in the belief that they did contemplate making an assault from the quantity of ammunition that they had.

By Mr. CHRISTIANCY :

Q. Do you know anything about that?—A. I was not present to see it, but I got it from the negroes.

By Mr. MERRIMON :

Q. What was understood to be the leading cause; what did you learn from the negroes was the leading cause of that disturbance?—A. The shooting of the negro at Mr. Harley's.

Q. They had resolved to avenge themselves?—A. Yes, sir; to kill an equal number, at least.

Q. State whether you said in July last, or at any other time, to Daniel Rouse, that the whites would carry the election by fair or foul means.—A. No such conversation ever passed between me and Daniel Rouse. In July I had given him warning—he was a negro that I found not at all disposed to keep his contract, and I gave him warning then in June; no, in July—that he could not stay on my plantation another year. He had failed to keep his contract by planting the quantity of land he was to plant for me and cultivating it.

Q. Did you say to him in July, or at any other time, that the demo-

erats would carry the election by fair or foul means?—A. Not a word of truth in it, sir.

Q. State whether you stated to Dave Bush at any time that if he voted the republican ticket he could not stay on your plantation another year?—A. There was an interview between Dave Bush and myself some months prior to this riot; he was working on my plantation, and he brought some grave charges against me. I never have made a practice of talking politics to negroes on my plantation; I leave that discretionary with them, to vote as they please. Dave Bush told me that he understood that we all were going to kill all the negroes—that is the impression left on my mind—in the presence of my wife. I demanded of him his authority. I contradicted it first, and told him it was a lie; that I had never used such language in my life; and I said, “I want to know your authority.” He didn’t like to tell me. I told him that it was a lie, and unless he told me who his authority was I should consider that he manufactured it himself, that he made the lie; in order to draw it from him, of whom he got that declaration.

Some three days after that time the same report was made known to me by the son of a cousin of mine, that this man Wash Bush gave publicity to the same lie, that I had used the same language. The first time I met Wash I attacked him about it, and asked him his authority. He very readily gave me his authority; he said it was a man by the name of Philip Dunbar, a man I never had any discussion with in my life, and I don’t allow him on my land; and after the riot I met him and asked him his authority. He told me that he never told Wash Bush such a thing in his life.

Q. Did you tell Dave Bush that if he would not vote the democratic ticket he could not stay on your place another year?—A. I never in my life told him such a thing.

Q. State whether your wife, in your presence, at any time told Dave Bush that he would regret saying that he hoped to die a republican.—A. I never heard her use such language in my life; I could not say that she never did say it.

Q. Did she ever say it in your presence?—A. No, sir; she never said it in my presence.

Q. State whether at any time about the time of the riot, in the presence of Milly Bush or any one else, you said that he was the first person that would be killed.—A. Never thought of such a thing.

Q. Did you do it?—A. Never did any such a thing in my life.

Q. State whether at any time you threatened to kill Milly Bush.—A. I never did, sir. I have forbid her the privilege of my yard. I had her employed in January during my sickness while I was confined to my bed, about a month and a half, and during that interval my wife had her employed, and we found that her stealings were so great that we could not bear her, and at the end of a week we got rid of her; and I forbade her the privilege of my plantation until this man married her, and by his fair promises I was induced to let him take her home, upon the condition that she should keep out of my yard.

Q. Do you know Nelson Bush?—A. Yes, sir; I know Nelson Bush.

Q. Do you know his general character?—A. It is generally bad, as far as truth is concerned. I would not believe him upon oath.

Q. Do you know a negro man named Joe Scott?—A. I do, sir.

Q. Do you know his character?—A. It is generally bad.

Q. Bad for what?—A. As a thief and a liar.

Q. Do you know Darius Wethersby?—A. I do, sir.

Q. Do you know his character?—A. Bad, sir.

Q. State if you know it first, and then state if it is bad or good.—A. I do know it.

Q. And do you say it is bad?—A. I do know it is bad.

Q. Bad in what respect?—A. Well, gentlemen, in making answers to these questions—perhaps I am a little different from most of men—

Q. O, well, we do not care about that; we want to know the fact. What is it bad for?—A. As far as a man's truth is concerned I would not believe any man that was a common liar. I look upon him as a thief and a liar.

Q. Is that his common reputation?—A. That is his common reputation.

Q. Do you know a negro named James Riley?—A. I do.

Q. What is his general reputation; what do people say about him?—A. I have not heard but few men speak of him, but as far as my general knowledge of the man extends his reputation for truth is bad.

Q. Do you know a man named Gloster Holland?—A. I do.

Q. Do you know his reputation?—A. I know it is bad.

Q. Bad for what?—A. I have seen him perjure himself.

Q. Where did you vote?—A. At Boyd's Store.

Q. Was there any disturbance there on that day?—A. None that I know of.

Q. You were there all day?—A. No, sir.

Q. How long were you there?—A. I went there in the morning; went to my dinner, and then returned there in the evening, and I remained there until after the votes were counted.

Q. Was there any violence toward the colored people or anybody else?—A. None in the world.

Q. Do you know whether the colored people voted or not?—A. I think all voted that was considered eligible by both parties, as far as my knowledge goes.

Q. As far as you observed, it was a peaceable and quiet election?—A. Yes, sir.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY :

Q. You say you would not believe Nelson Bush, nor Joe Scott, nor Darius Wethersby, nor James Riley, nor Gloster Holland; do you consider them all thieves?—A. Not all thieves; they would vary in degree. But my opinion is that any man that will tell a lie will swear to one.

Q. That is not answering my question.—A. In that sense I answered it. Any man that will willfully make a false declaration, I believe, will swear to one.

Q. I ask you whether you stated that Joe Scott and Nelson Wethersby were thieves; is that so?—A. Is that so?

Q. Yes.—A. It is their general reputation.

Q. How is it with James Riley?—A. He has the same reputation that they have.

Q. How is it with Gloster Holland?—A. I never knew of his stealing; but as to his veracity for truth, I have told you enough about that.

Q. Do you know anything about Joe Scott's stealing?—A. Only from general rumor.

Q. Do you know anything about Darius Wethersby's stealing?—A. General rumor, sir.

Q. James Riley?—A. General rumor.

Q. Was any of them ever convicted of stealing?—A. They may have been for aught I know.

Q. Do you know of any such thing of their ever being tried and convicted for stealing?—A. I could not call it to my mind instantly, but there's various ways of conviction not through the courts.

Q. I mean through the courts. Was he ever prosecuted for stealing?—A. Joe Scott has been.

Q. You are sure of that?—A. He made acknowledgment to that fact, as I was informed by a negro.

Q. Were you informed by the negro that had prosecuted him?—A. He compromised the case by paying for it.

Q. Were you informed that he was prosecuted at all, or did he compromise without being prosecuted?—A. I furnished him money if the parties would prosecute the case. There was some hogs stolen, and he was one of those rogues that was going about with a bag; that was his general character.

Q. Do you know of his having been convicted for stealing?—A. I do not.

Q. Well, Darius Wethersby; do you know whether he has ever been convicted for stealing?—A. No conviction that has ever transpired to my knowledge.

Q. No prosecution has come under your knowledge?—A. Not of my personal knowledge—general rumor—except the men that I have vouched for that I don't believe under their oaths.

Q. What is the particular reason why you would not believe Gloster Holland under oath?—A. Because I heard him take an affidavit that I knew was false.

Q. That is the reason?—A. Yes, sir. I knew that he knew it was false, because it emanated from under his own hand.

Q. That is the reason that you say his reputation is bad for truth?—A. For truth; that is one of the reasons; I don't say that from general rumor. From general rumor he is perhaps one of the worst men in the whole country.

Q. Are all these men republicans?—A. I can't say.

Q. Just think a moment whether they vote the republican ticket.—A. What they vote is one thing and what they are is another, as far as my knowledge extends.

Q. I want to know whether they don't vote the republican ticket?—A. I think Gloster Holland does.

Q. How is it with James Riley?—A. I never saw him vote in my life.

Q. You may never have seen him vote, but do you know that he acts with them, that he co-operates with them?—A. As a matter of course, as a general rumor, I have no doubt that all of them voted the republican ticket.

Q. Are they not all active republicans?—A. Not in my construction of the term republican. They supported Mr. Chamberlain, and they voted for him, no doubt.

Q. Were they not understood to be supporters of Hayes and Wheeler and of Chamberlain—of that ticket?—A. There is no question on that, sir.

Q. Now, I want to know whether they were not blamed for that more than for anything else?—A. I think not, sir.

Q. Are there any white republicans around in that neighborhood?—A. Not a great many, sir.

Q. Do you know what is the reputation of those people among the colored people generally; that is, of Joe Scott, for instance?—A. Generally among the thieves he is very popular, but among the better class I do not think he is.

Q. How is it with Darius Wethersby?—A. I think he is in the same catalogue.

Q. And Riley?—A. I do.

Q. And Holland?—A. Holland is the most popular man among the colored men in that section of the country.

Q. How about his reputation for truth among the colored people?—A. Well, the truthful portion, those that I look upon as being the best citizens among us of the negro element, have got no use for him, but the majority of the negroes in that community, I believe that he could make them swear that you were a black man, if he desired to.

Q. His reputation among them would be considered good, would it not?—A. O, yes, sir.

Q. That is with a majority of the colored people?—A. Not with a majority of the colored people in that neighborhood, because they are pretty much divided right on the bridges; below the bridges there are some good negroes that I don't believe are so much under his control, but the part around at the bridges are perfectly his tools.

Q. Those good negroes that you speak of, are they republicans or democrats?—A. Republicans, sir, or said to be. I don't know that they are more so than any others.

Q. Are none of them democrats?—A. I don't know of but three negroes that voted the democratic ticket in my neighborhood—that is, right around my plantation.

Q. That would be true of about what number?—A. Well, I think that the poll-box at Boyd's Store, the republican ticket in the last count was said to be 164 ahead of the democratic ticket, and I think there was 102 votes that was called democratic, and two of them negroes.

Q. Did you ever have any conversation with Milly Bush as to any of those negroes who were to be turned off or turned out of employ; did you ever mention a list of names of those that were to be turned off?—A. Not in my life, and never saw any one that had, nor ever heard of any one that did ever have one.

Q. When you went to Rouse's Bridge on the Sunday morning you say there were about one hundred white men there, and fifty or sixty negroes?—A. Yes, sir.

Q. Now, were those white men armed?—A. They were, some of them.

Q. What were they armed with?—A. They had guns and pistols, from my observation.

Q. They were generally armed, were they not, almost all of them, either with one or the other weapon?—A. There was a few exceptions, but they were generally armed.

Q. Now, how many of those negroes were armed, what proportion of them had any arms at all that you know of?—A. I don't know that I saw but one that was not; that was Nelson Wethersby, the first man that come to me. Yes, I saw two, a man by the name—they said it was Henry Campbell, I didn't know. This Nelson Bush had no arms at the time I saw him.

Q. Were you close enough to know whether they had arms or not?—A. I think I can tell a gun from an ordinary stick at a distance of two hundred yards in a man's hand.

Q. Were you within two hundred yards?—A. I was.

Q. You think the crowd, then, generally were armed?—A. According to my observation, sir; I could not say what was in the ambush, but those that were outside were generally armed.

Q. How many colored men do you think you saw with arms in their

hands of any kind that morning?—A. As I have related prior to this, I think there was in the neighborhood of fifty.

Q. And you think that most of them had arms?—A. Yes, sir.

Q. Guns or pistols?—A. Principally guns.

Q. What kind of guns did they have?—A. Well, sir, I suppose—at that distance I could not tell certainly what kind, but it came to my knowledge that there were some sixteen-shooters in the possession of some of the men that was in that riot.

Q. That came to your knowledge afterward?—A. No, sir; I knew it before; I knew that they had them.

Q. You knew them individually to have them?—A. Yes, sir.

Q. You don't know whether they were there or not?—A. At that distance I would not say that they were sixteen-shooters or double-barreled guns, or what they were.

Q. At the two bridges, as you call it, when you saw that body of white people there, were those white people armed?—A. Most of them were.

Q. Those that you met that evening, that came across as you were going home, who went on afterward, going up toward Rouse's Bridge, were they armed also?—A. Certainly.

Q. Do you know of a single white man that was shot at Rouse's Bridge or near that point on that occasion?—A. Not at Rouse's Bridge.

Q. Well, on that occasion?—A. I heard——

Q. You need not state what you heard; did you see any white man that was wounded on that occasion?—A. No, sir.

Q. Did you see any white man's dead body?—A. No, sir; not then.

Q. Did you down at the two bridges?—A. I have seen but one dead body during the entire riot.

Q. Which was that?—A. A man who was known by the name of Coker; I saw his dead body lying in the road at Ellenton.

Q. Didn't you see that one down at the two bridges?—A. I have no doubt but he was there, but if he was there he was in a place where I could not see him. I saw a box, and I saw worms working out on the ground around the chimes, but I would not swear what was in it, because I never knew; but I have no doubt but that a man was in it.

Q. That was a black man that was killed?—A. It was supposed so by me.

Q. Do you know anything of Pope being in any of the crowds of colored people at all?—A. At the Double Bridges?

Q. Yes, sir.—A. I do not.

Q. At either place, the two bridges or Rouse's Bridge?—A. I never knew him; I would not know the negro if I saw him.

Q. No such a man was arrested there?—A. Not as I ever heard of.

Q. Was he afterward arrested?—A. Not that I ever heard of.

Q. You never knew him at all, you say?—A. No, sir.

Q. You say you have always voted the democratic ticket?—A. As long as I can recollect. I don't know that I ever voted differently.

Q. You have spoken about there being a very strong unpleasant feeling for years between the honest and dishonest politicians?—A. Not politicians.

Q. Well, people there, then?—A. Yes, sir; there had been among the honest and dishonest men an unkind feeling for many years. Some whites and some colored have engendered unpleasantness and a general state of feeling there anything but agreeable. I think it all emanated from dishonesty—not in politics at all. We have been overrun there with little dram-shops, and the country has been sold in a great measure.

Q. You have spoken of six colored men who were proscribed, that did not enter into contracts with anybody; who were those six men?—A. There was a man there by the name of Council Haines, about eighteen years of age, I reckon; I should judge so from his appearance; and a man by the name of George Bryant; a man by the name of Henry Whitesides or Henry Rangey; he goes by two names. He was first known when he came to my place by the name of Henry Whitesides. A man by the name of Leroy Young. I don't remember the name of the other just at this instant, but I know that we looked upon them as being a nuisance to the country and we agreed not to employ them—

Q. Were they politicians?—A. I do not know.

Q. Do you know the party that they voted with and acted with?—A. I have no doubt but they were identified with what some would call the republican party. They were the tools of other men there in politics, men of some intelligence.

Q. Were they active as radicals there?—A. No, sir; I did not consider them so; they were acting as rogues, in my judgment, and paupers, and that was what they were proscribed for. Never any intimations made relative to their character in any other form.

By Mr. CAMERON:

Q. Under whose command were you acting during these so-called Ellenton riots?—A. George W. Bush's, sir.

Q. You were fighting on your own hook, were you?—A. I was.

Q. Didn't recognize the authority of Colonel Butler?—A. No, sir; Colonel Butler and myself had never met but three times before in my life. I will pledge you my honor I have no communication with Colonel Butler, no association with him, or any other set of men.

Q. Have you ever been accused of crime?—A. Often; various crimes.

Q. All kinds of crimes?—A. Yes, sir. Through the courts I have been held up as a thief.

Q. Have you ever been prosecuted?—A. Been prosecuted before Gloster Holland.

Q. For larceny?—A. For larceny.

Q. Were you convicted?—A. I was not.

Q. How many times were you prosecuted before Gloster Holland's court?—A. Some three, I think; some two or three times.

Q. When were you first prosecuted for larceny before his court?—A. I was never prosecuted for larceny before his court until this year.

Q. Three times this last year?—A. No; I think I never was prosecuted for larceny until this year.

Q. How many times have you been prosecuted within a year for larceny before his court?—A. Once, about January or February, I recollect, early in the spring. If you will suffer me, gentlemen, in self-defense—I feel it is due. I respect your intentions, and I wish to be respected at the same time. I do not claim to be a thief—

Mr. CHRISTIANCY. Nor do we claim that you are.

The WITNESS. These negroes conspired to take what property I had. I had three heifers that I had failed to mark, for the want of assistance, before they were turned out. They were running at large with my stock, and they were gathered up by different parties in various ways. One of them that I knew to be mine as well as I know that that is my own hat, [pointing to his hat,] I had in my possession. He came and claimed it, and brought up some six negroes to testify that it was his, after the action commenced. I asked them to give me a description of the beast that they said belonged to this negro. They did it, and there

was not one of their number described the beast that was claimed. Nevertheless, when the beast was shown them, all of them with one accord said that that was the beast. I knew there was a conspiracy. The beast I would not have taken less than \$50 for. The value of the beast was made \$15, that I might have no appeal to the courts of the State from before the trial-justice. I saw a decree must necessarily follow. I told the negroes, "I won't go before Gloster and have anything to say before that court. You may take the beast, and if you will swear that any other number of them" (forty or fifty head of cattle) "belongs to you, you can take them all. I shall not stand any lawsuit." Those were the declarations that passed, and the negroes took the beast; he took the cow, and I suffered him to do it sooner than I would resist it through the law.

I had suffered very heavily through the courts by false swearing by the negroes, and I knew that when they forced me into court they would carry their point by false swearing at all hazards.

Q. Then you say that six men swore—A. I didn't say six men; there were some of them women—there were several; I don't pretend to say how many. I could have proved in rebuttal, by an old Irish lady that had been with them, that had milked them—it is now going on the sixth year she has been there as one of the domestics about the house, and has frequently attended to the milking and cooking on the place—and I could have proved it by her and my wife and some others, but I saw they could beat me in swearing, and knowing the hostility that existed toward me from Gloster Holland, I was convinced what the result would be beforehand, and I thought that under that state of affairs it was best to let them take it and go along that time.

Q. Now you have got through with your speech, I will ask you a question. Five or six persons swore that this heifer or cow was the property of a certain negro man; you deny that?—A. All of the same family; I deny it.

Q. But they did swear to that, did they?—A. No, sir; they said they would.

Q. Then there was no suit about the cow at all?—A. There was an entry and a writ brought against me for me to appear, and the property was delivered before the appearance.

Q. You gave up the cow without suit?—A. I gave up the cow without any trial.

By Mr. CHRISTIANCY:

Q. It was an action to replevin, or something of that kind?—A. Well, it was specified trespass. The action was for petty larceny.

By Mr. CAMERON:

Q. You were accused of stealing the animal?—A. It was petty larceny in the indictment.

Q. But you did not try the case?—A. I didn't try the case.

Q. You gave up the animal for the reasons that you have stated?—A. I gave up the animal for the reasons that I have stated, and told them that they could take any other heifer on the place.

Q. Did they go after any more?—A. No; I think my gun kept them from it.

Q. I didn't ask you whether your gun kept them from it; I asked you whether they came after them or not.—A. I know they didn't.

Q. Did they come after any more? You gave them permission to come after the others.—A. I have not seen them any more.

Q. Then they didn't accept the invitation which you gave them?—A. No; they didn't come. I reckon that they thought it was best to be satisfied with that.

Q. Have any legal proceedings been commenced against you for your participation in the so-called Ellenton riots?—A. Yes, sir.

Q. What proceedings?—A. I am held to bail here as a bondsman.

Q. You don't mean as a bondsman?—A. I am under bonds as a participator in the Ellenton riots.

Q. Did you have an examination before an officer before you entered into bond?—A. No, sir.

Q. You waived an examination?—A. Yes, sir.

Q. When were you arrested for your participation in the Ellenton riot?—A. A short time before the election came off.

Q. About what time was it?—A. I was arrested on Saturday morning, about the 28th of November.

Q. Before what officer were you taken, sir?—A. I was arrested by a man by the name of Bardeen, taken to Aiken, and on Monday morning I gave bonds for my appearance to wait the result of the trial.

Q. Before what officer did you give bonds?—A. Well, sir, I suppose, from what I can learn, that it was Mr. Corbin himself, or some other gentleman. I saw his face in the court since I have been here, but I was not personally acquainted with him.

Q. That charge is still pending against you, is it?—A. Yes, sir; I suppose so.

Q. You have received no notice that it has been dismissed?—A. That it has been discontinued? No, sir.

Q. Were you armed while engaged in the Ellenton war?—A. Not more than I have been almost every day since the 4th day of September, 1854.

Q. I asked you if you were armed?—A. I wore the side-arms that I have related to ever since the 4th of September, 1854.

Q. Were you armed during the Ellenton riots?—A. I never go otherwise. I have got a pistol in my pocket now.

Q. Were you armed with a gun at any time during the Ellenton riots?—A. At no time, except inside of my house.

Q. Didn't you carry it with you when you went out?—A. I never went out with it no time.

Q. You thought you could shoot negroes with your pistols, if necessary, didn't you?—A. I thought I could shoot any man that assaulted me; not negroes any more than white men, for I believed that my life was in just as much danger from some white men as from negroes. I didn't confine my danger to the negro, for I have got some negroes that have got my keys now, and have had for years.

Q. You stated that you were fired at twice some years ago, and since that time you have worn a pistol?—A. Yes, sir.

Q. Were you fired at by negroes or whites?—A. I could not tell, sir; it was in the night.

Q. You were fired at from ambush, were you?—A. Yes, sir. I had reasons to believe that they had an object or purpose; they had seen me with a little money. I had some nine or ten thousand dollars at a little store with me, and there was some thirty negroes and white men come there on that evening, and on my return home to my plantation I was fired upon. My suspicions were aroused, and that led me to take a vow that I would not be caught in such a fix again.

Q. How large a pack of dogs did you keep?—A. I have got two dogs.

Q. You stated in your direct examination that there was a feeling

between the honest and dishonest portion of the community in your neighborhood. Is the dishonest portion of the community composed entirely of negroes?—A. No, sir.

Q. There are some white who are dishonest?—A. Some of them are white, but the largest percentage I think are negroes.

Q. Is the honest portion of the community composed entirely of whites?—A. No, sir.

Q. Some few negroes among them?—A. Yes, sir.

Q. How many armed or mounted whites did you see at all times during those so-called Ellenton riots?—A. I have just related the number that I have seen. I think I reported that there was 100 or 150 on one occasion and between 30 and 50 on another.

Q. Those are all that you saw?—A. I might have seen the same men half a dozen times, they being strangers; I don't know anything to the contrary.

Q. How many armed bodies of white men did you see during those riots?—A. I saw them moving after the riot on Sunday evening at Ellenton in different directions two or three times. I could not tell the precise number, but I never seen as large a number together as I saw on Sunday evening; but they seemed to be moving in different directions from that time until the information was brought to my house that peace had been proclaimed; that the United States troops had reached Rouse's Bridge, and that the whites had sent notice around that peace had been proclaimed.

Q. I believe you stated that your object in going out was to assist in the arrest of Frederick Pope?—A. No, sir.

Q. That was not your object?—A. No, sir; you would not let me relate what my object was.

Q. Well, I did not ask you what your object was; I asked you if you said that that was your object, but you say that that was not.—A. I stated to you that I bore the warrant when I went and had the first interview with the negroes at Rouse's Bridge.

Q. But you didn't bear the warrant for the purpose of arresting Pope?—A. Not at all, but simply to show them that the object of the visit of the whites was to arrest this negro.

Q. Then you say that it was not your object in going out to arrest Pope, and that you didn't bear the warrant with you for the purpose of arresting him?—A. I did not.

Q. Then your bearing it was a mere pretense?—A. No, sir.

Q. What was it then?—A. It was to produce reconciliation.

Q. You thought by showing that warrant you could produce a reconciliation?—A. That was my object, and I believe it was the object of Angus Brown, because it was at his suggestion that he asked me to do it; and I returned it to them in the presence of those negroes that had assembled.

Q. How long did you have the honor of carrying that warrant?—A. I suppose four hours.

Q. What use did you make of it while you did have it?—A. I put it in my pocket and exhibited it to this man Jim Riley, that he might read it if he chose to. He told me that he would take my word for it; that he was satisfied that if I said so it was so. I returned it to my pocket, and then this man John Hankerson came up—one of these men that Jim Riley had sent—and when the whites assembled mention was made of the warrant, and I pulled it out of my pocket and handed it to Hankerson, so that he might see whether it was authentic.

Q. Do you remember the date of the warrant?—A. Not now, sir.

Q. Did you look to see?—A. I did not notice the particulars. I could not read it without my glasses, and I don't remember of putting my glasses on. I was satisfied, for the gentlemen—the source I had received it from—was honorable, and I knew in my own mind that they would not practice an imposition upon me.

Q. Where was Coker when you saw his dead body?—A. He was in the Coosabatchie and Augusta road, near Ellenton; it was not directly where the horses went, but it was in the road. I saw some eight or ten standing around where it was, and I rode there. I had been down there for my mail. I saw these men there, and learning that this man Coker was there, I rode there and found him lying there.

Q. What time of the day was that and what day?—A. That was on Wednesday or Thursday—it might have been as late as Thursday—Tuesday, Wednesday, or Thursday, after the excitement. I would not like to be too definite as to the day, but it was one of those three days.

Q. What time of day was that?—A. I suppose it was some time between ten and three.

Q. Did you observe where he was shot?—A. I could see from where he lay that he was shot in the head. I saw those gentlemen take his papers and some money out of his pockets.

Q. What gentlemen were around him at that time?—A. One of them was said to be a trial-justice from Robbins, a man by the name of Patterson.

Q. A white or colored man?—A. He was white—said to be a republican; I don't know.

Q. Was Captain Butler there?—A. No, sir.

Q. Captain Butler, who resides at Augusta?—A. No, sir; if he was I didn't know him. I know Captain Butler of Augusta, but I didn't see him on that occasion.

Q. Did he appear to be just killed when you saw him lying there, or had he been lying there some time?—A. He had been lying there some time.

By Mr. MERRIMON:

Q. The proceedings against you to which you have made allusion in reply to the questions asked by the chairman of the committee, were they criminal or civil proceedings?—A. Perhaps you gentlemen know better than I do. There is a mystery about it which I cannot solve. In the warrant on which I was arrested, the specification went on to identify me with the shooting and killing of some negroes I never heard of.

Q. When you were taken before that trial-justice for petty larceny, was that a civil or criminal proceeding?—A. Civil, I suppose.

Q. Was it to recover the value of a cow?—A. To recover the cow or compensate them for a beast that I would not have taken less than \$50 for. The value of the cow was placed at \$15. According to the laws of the State the jurisdiction of a trial-justice in a proceeding for a sum less than \$20 you could take no appeal from.

Q. It was put within the exclusive jurisdiction of this justice?—A. I was completely at his mercy.

Q. Were these suits brought against you to convict you of an offense, or to recover the value of the animal?—A. To recover the value of the animal, or the animal itself, as a matter of course, I should judge.

Q. Do you understand that you were proceeded against criminally or civilly?—A. Well, my memory of the matter—I was incensed with them, and I knew that they could do almost anything—prove anything; that was the view that I took of that party. I told them that I was com-

pletely at their mercy. I had done many things prior to that time to try to buy these parties off through the courts, and to let by-gones be by-gones.

Q. Have you ever been indicted in the courts anywhere for any offense?—A. I have been by negroes in a civil point of view.

Q. But not in a criminal point of view?—A. Never; except I went to Hamburgh on the 20th day of March, at the time of this row between myself and that man. I had lost three days in going to Holland's to get a warrant—a search-warrant to search for two bags of cotton that had been stolen from my gin-house and carried to a little store at the corner of my plantation, and I had trailed it to that point, and wished to get a warrant to search the house. I applied to Holland to get the warrant, and on going there his brother, Isaac Holland, said that the cotton was there; but he would not search the house; he said that it was past the hour, and he could not make a search until Monday. There was some forty negroes there, and I had just reasons to believe that my life would be taken if I remained there. After that matter was carried into the courts, by way of rebuttal this store-keeper had me arrested under the pretext that he was afraid of his life and his property. I summoned some negroes as witnesses before Gloster Holland, and a court was summoned—

By Mr. CHRISTIANCY:

Q. A jury summoned?—A. The opposite party called for a jury, and it was composed entirely of negroes and strangers to me, so far as I know. I asked him to let me see who the jurors were. This he refused to grant me. Well, I then asked him to let me see the list of the jurors, then; and he would not do it; but said, "When I read off the names you can see whether you object to them or not." Well, under the whole circumstances I thought I might as well take the first that came, and I just told him then, "If you won't give me the privilege of selecting my jury you can make your own selections." I forget his answer.

By Mr. MERRIMON:

Q. State whether any negroes were arrested for participation in the riot by the United States authorities.—A. Not one that came to my knowledge—yes, there is one; this man John Hankerson—a democrat.

Q. A democratic negro?—A. A democratic negro.

Q. And you were arrested Saturday before the election?—A. I was arrested on the 28th day of October, I think, and the election came off on the 7th of November.

PAUL F. HAMMOND—AIKEN COUNTY.

COLUMBIA, S. C., *December 30, 1876.*

PAUL F. HAMMOND sworn and examined.

By Mr. MERRIMON:

Question. State your age, your place of business, and your residence, and the political party with which you affiliate.—Answer. My age is thirty-eight; my residence is in Beech Island, South Carolina, Aiken County; my plantation and place of business is in the same county, in Silverton Township; I have always voted with the democratic party.

Q. State whether you know any facts connected with the late Ellenton riot, as it is commonly called, in your county, and, if you say yes, state to

the committee, as briefly and clearly as you can, all you know about it.—A. On Friday afternoon, the 15th of September I think, on my way from Augusta to my residence, I was met by a messenger, who stated that two men——

Mr. CAMERON. You need not state what the messenger said.

Q. (By Mr. MERRIMON.) State what you did in consequence of what they said to you.—A. In consequence of that I went to Mrs. Harley's house, where I found a negro boy, about nineteen years old, born on my plantation, shot.

Q. Give us his name.—A. His name was Peter Williams. I had him removed to the plantation with some difficulty, and that night, about ten o'clock, I had him attended there. He lived nineteen days afterward. He apparently recovered from his wounds; on the fourteenth day he got up and went about the plantation and eat very heartily, and on the seventeenth or eighteenth day he had a relapse, and died on the nineteenth. That negro had been discharged from my plantation two months before, and Saturday afternoon a common rumor in my neighborhood said that the whites were assembled in Silverton apparently to arrest Frederick Pope, accused of being with Peter Williams in this assault upon Mrs. Harley, and it was also said that the negroes at Rouse's Bridge were assembling themselves to avenge Peter Williams's shooting. I paid but very little attention to it myself; it was a time of considerable excitement, and these kind of rumors were prevalent. On Sunday morning, about 9 o'clock, Frank Dunbar came to me and, in consequence of what he said, I went to, what I supposed to be, the scene of these troubles.

Q. Where was that?—A. The whites had, as I understood, collected at Matlock church, a church that belongs to me, near my plantation. When I got there I found that they had moved off in the direction of Rouse's Bridge. I followed them on about three miles, when I met Charles Griffin, the trial-justice, a republican and a very honest trial-justice; he had proved himself so previous to that time. He had been summoned, as he told me——

Mr. CAMERON. You need not state what he told you.

The WITNESS. Charles Griffin followed me to Rouse's Bridge, and in the neighborhood of Rouse's Bridge, about half a mile from the bridge, I found a number of white men; one hundred, I think, possibly one hundred and twenty. As soon as I got there, the men who seemed to be prominent in the movements of the white people asked me into a conference with them. I found the white people very anxious to negotiate.

By Mr. CAMERON :

Q. How did you ascertain that?—A. By their statements.

Q. That of course is not proper evidence.—A. I can hardly describe my action and the action of the rest without bringing in these things.

Mr. CAMERON. That is the misfortune of your circumstances, and we cannot help that.

Mr. MERRIMON. Go on and state it the best way you can.

The WITNESS. Griffin came up probably in an hour after I reached there, to where these gentlemen and myself were conversing about the condition of affairs, and Griffin said to me——

Mr. CAMERON. You need not state what Griffin said.

Mr. MERRIMON. You can only state what you know of your own knowledge; what you saw or heard from hostile negroes. It is their ruling. I think it is a very erroneous ruling, but still it is the ruling; they are the majority.

The WITNESS. Griffin handed me a paper, which he said was——

Mr. CAMERON. You need not state what he said.

The WITNESS. I examined the paper to see if it was a warrant against Frederick Pope. The reason that I examined it was that Trial-Justice Griffin claimed that the warrant that he had——

Mr. CAMERON. Wait one moment. You understand that we do not wish you to testify to hearsay. Griffin was not engaged in the riot, and now you are giving as evidence your conversation with Griffin.

By Mr. MERRIMON :

Q. State what you did on account of the warrant, Colonel Hammond.

The WITNESS. Am I at liberty to state that we asked Griffin to go and quell the riot, he being a trial-justice in that neighborhood?

Q. I will ask you whether Trial-Justice Griffin was requested to go and see the negroes, and see if the disturbance there could not be quieted?—A. Griffin was requested to go and talk with them, and see if he could not do something with them to get them to negotiate with the white people.

Q. Was he a colored man?—A. He is a colored man, a trial-justice appointed by Governor Chamberlain, and one of the best I have ever seen in the State. Griffin said:——

Mr. CAMERON. You need not state what he said.

The WITNESS. Griffin declined to go; can I give his reason?

Mr. MERRIMON. No; just say he declined to go.

The WITNESS. After I had been up there probably an hour, a black man named Nelus, I think, came over from the direction of the colored people who were in arms and asked that certain white men should go with him to confer in reference to negotiations that were then trying to be had with them. He took Mr. Bush——

By Mr. CAMERON :

Q. What Bush?—A. George W. Bush. Mr. Bush and Nelus went off together, and came back probably half an hour afterward and asked for Mr. Wethersby, and he went with them and they were gone probably three-quarters of an hour, and Wethersby came back and asked for three men—Captain Brown, Colonel Butler, and myself—and added that the black people were willing to confer with six men, they naming themselves three, and were willing that the white people should pick out the other three men, and wanted these six men to meet six men on the other side to see if the difficulty could be settled. We went down two or three hundred yards and met the colored men who were appointed on the conference by the colored people, and we had a talk with them, probably fifteen minutes. We first demanded Frederick Pope, because we had understood he was there, and showed the warrant for him. They said that they did not know anything about him; that he had not been there. We discussed very briefly the difficulty that had occurred, and we concluded to retire peaceably. An agreement was made by both parties to retire to their homes and give the matter up.

Q. What did they say was the ground of the complaint?—A. The black people said that they had assembled together to protect themselves. In the course of the conversation I said to John Hankerson, one of the black men, "You see we do not want any difficulty with you; we have got these men that you see up here; there are enough men to scatter your forces in twenty minutes;" when Hankerson replied, "You don't know how many we have; we don't show all of our men any more than you do yours."

Q. But what was their agreement; did they assign any cause for their movement?—A. These men were then in their own neighborhood and armed, and said that they had assembled together to protect themselves.

By Mr. CHRISTIANCY:

Q. These colored people said that?—A. Yes, sir.

By Mr. MERRIMON:

Q. Well, sir, go on.—A. The white people immediately after we got back began to disperse. I went home, and a great many men went home with me. That was the end of Sunday, so far as I know it myself. Sunday night about twelve o'clock the neighborhood where I live was full of rumors of outrages committed by the black people on that night.

Q. State whether in consequence of rumors of an alarming character you did anything.—A. In consequence of rumors of a very alarming character I left home again on Monday morning. I found within three or four miles of the Double Bridges—the road runs about three miles from Rouse's Bridge—one hundred men; I saw probably one hundred men—

Q. White men?—A. White men, marching down the road. We went to Ellenton on account of reports constantly received there. There were very few negroes there—

Q. Where; at Ellenton?—A. At Ellenton, when we reached there.

Q. What time was that?—A. About half past three o'clock in the afternoon. The people seemed to be delighted to see us; the women stretched their heads out of the windows and said—

Mr. CAMERON. You need not state what they said.

Mr. MERRIMON. You can state whether the white women were assembled at that place.

A. The white women, four or five—it is a small village—seemed to be collected at Mr. John Bonner's store, and those that I observed were in the upper part of his store.

Q. State what else you saw there.—A. From Ellenton the white men left that afternoon in direction of Rouse's Bridge. On the way to Rouse's Bridge a courier came from the sheriff of the county, Mr. Jordan, stating—

Mr. CAMERON. You need not state what he said.

The WITNESS. It was an official message sent by one of the deputy sheriffs from the sheriff of the county to these white men by his own son, who was a deputy. I know that the action of the white people was influenced by this message.

Q. (By Mr. MERRIMON.) State whether in consequence of the message received from the sheriff anything was done.—A. I can hardly say that without stating the character of the message.

Q. Well, you can state what was done.—A. The white people returned to Ellenton and encamped there that night apparently in consequence of the message of the sheriff, and apparently in consequence of the reports that the black people were marching to burn Ellenton. They camped there to protect the village.

Q. That was Monday night?—A. That was Monday night.

Q. Then what did you do?—A. On Tuesday morning we went to Rouse's Bridge, and there we met the Federal troops. As soon as we met them, I was requested to go forward with Captain Croft and Major

Davis and confer with Captain Lloyd and Lieutenant Hinton. We stated the circumstances as well as we knew them, and the reason why we were out; that property had been burned, lives had been taken by the colored men, and that we felt bound—

Mr. CAMERON. You need not repeat your conversation with those officers.

Mr. MERRIMON. State whether you had a conversation with them, but do not state what it was, and if that concluded the controversy.—A. We had a conversation with them, and we agreed to disperse and go home, and I reached home about one or half past one o'clock on Tuesday, and I saw the men passing me continually going to their homes.

Q. Do you remember any other fact or circumstance connected with that riot that is interesting, within the compass of the examination I have given you?—A. Nothing that I would not have to state as coming from other parties.

Q. State whether, in the part you took in that transaction, you were moved by any political motives at all.—A. In this respect somewhat: so far as any intimidation of the black people was concerned, not a particle; but there was a discussion of the effects of these movements among the men at that time, and it was universally regarded as very unfortunate; that its effect would be certainly injurious to the democratic party in the Union, and in the State of South Carolina. It was deprecated by every one that I spoke to.

Q. State whether, in the sphere of your knowledge at all, any white man was moved by desire to intimidate the colored people, and drive them to vote the democratic ticket, in what they were doing there.—A. No; I do not think that; as I have already stated, I think it was deprecated as a movement likely to injure the democratic party.

Q. State whether, at any time within the last year or two, you have threatened any colored man, in any way, with violence, or that you would discharge him from your plantation or your service, for the purpose of compelling him to vote the democratic ticket or inducing him to do it.—A. I have always been an opponent of proscription, not that I do not think we have a perfect moral right, in the condition of South Carolina, to use it, but because I thought it was non-effective, and I have not agreed with my friends and other people who advocated, some of them, that policy; and I cannot help stating, though, that I believe I did, on one occasion, use language to intimidate a voter. He was a young man, a body-servant of mine, you may say one that I have great regard for, and who told me voluntarily, six or eight months ago, that he would never vote the radical ticket in South Carolina any more. To my astonishment, a week before the election he said that he was afraid that he would have to give way before the influence on the plantation, and I spoke roughly. That is the only one that I ever threatened. I did threaten to turn him off, and I used very strong language to him, and I felt very indignant that he should have allowed himself to be intimidated by those colored people when he knew that I was so friendly to him. That is the only case that I know that can be construed into intimidation.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. The probable political effect of the Ellenton riot was discussed among you leading gentlemen?—A. I heard it mentioned once or twice.

Q. By whom?—A. I think that Captain Brown and Colonel Butler,

and perhaps Mr. Dunbar, I am not positive; Captain Croft and Mr. Davis; prominent men right there.

By Mr. MERRIMON:

Q. How discussed, if you say you heard it discussed?—A. It was discussed in this way, that this occurrence was very unfortunate; it hindered proper action that would have been taken by the white men under the circumstances, because they believed that any violence to the black men would be magnified at the North, and used to the injury of the democratic party; and that had to be avoided. That was the spirit or action in our canvass as far as I knew it. I may state that I was a member of both State conventions, one in May that then discussed this matter and the one that nominated General Hampton, and although I am called a straight-out democrat, I requested that to be the policy of the party and so reported it.

By Mr. CAMERON:

Q. When did you have this discussion in regard to the probable political effect of the Ellenton riot?—A. The time that I recollect it particularly was while we were attempting to negotiate with the black people on Sunday.

Q. While the black people were present?—A. No, sir; the black people were some distance off, and the white people were trying to negotiate. I had just got there, and being invited into this conference and in discussing what action should be taken, the question came up about the political bearing it would have, and we agreed that it would be very disastrous for us to use any violence.

Q. You were unanimous in that opinion?—A. I think so.

Q. Do you remember whether you were or not?—A. I do not recollect any objection among four or five men that were discussing it; I recollect particularly Colonel Butler coincided with that idea.

By Mr. CHRISTIANCY:

Q. What day was that?—A. Sunday.

By Mr. CAMERON:

Q. You stated that you did not agree with some of your friends who advocated the doctrine of proscription?—A. Yes, sir.

Q. Whom did you refer to as advocates of that doctrine?—A. That doctrine has never been publicly discussed.

Q. No matter whether it has been publicly or privately discussed, you spoke of your friends who advocated that policy; what friends did you refer to?—A. It has been a matter of very common discussion in our county among my neighbors, and some of the Millers have been advocates, theoretically, of proscription. As an abstract question I think our county is about equally divided on it.

Q. How many white men did you see engaged in these Ellenton troubles who were out for the purpose of suppressing the riots? I mean in all.—A. I have already estimated those on Sunday at from one hundred to one hundred and twenty. On Monday at 12, when I joined the white men, I think there were about one hundred. By Tuesday afternoon they had increased to two hundred and seventy-five, according to my estimate of them, which I made with some little care. That was the time that they dispersed, after we got through with our conference with the Federal officers about 1 o'clock.

Q. How many colored people were at Rouse's Bridge at the time you got there Tuesday morning?—A. I have no means of judging. I saw

a crowd collected back of the Federal officers. I heard a great cheering. When I first got to Ellenton five guns went off, said to be the first shots by the negroes; I do not know; and in about a quarter of an hour I heard a great cheer from the negroes, and we expected that there would be a very hard fight there. I presume that there were probably, judging by the sound of the voices, seventy-five, may be a hundred.

Q. Where were they at that time—the negroes?—A. They were in the swamps. They had torn up the bridge when we got there, over the public highway, and the negroes were in a very strong military position in the swamp.

Q. Did you arrive before or after the troops arrived?—A. I think we got up on one side of the swamp pretty nearly at the same time that they did on the other. They came from a northern, we from a southern direction. The place where the troops would have formed, if they were going to make a movement upon the swamp, is probably three-fourths of a mile from the point where we met them; and I think that the Federal troops probably had reached a point where they would have formed if they were going to have attacked the swamp, about the same time that the white men reached it on the other side.

Q. Do you know whether or not the white men had surrounded, or nearly surrounded, the swamp in which the negroes were at that time?—A. No, sir; they had not. The white men moved upon the swamp, expecting to be attacked, and they moved, of course, the way that would be best for their own self-defense, and to accomplish their object, which was the dispersing of the black men in the swamp. They moved in such a way that they naturally, in coming out, would have surrounded the black people; but the idea of surrounding them had not occurred, I am sure.

Q. Were you in command of the whites?—A. I was not in command, but I was immediately with the gentleman who was in command, and knew his plans.

Q. Who was in command?—A. Nominally, Col. A. P. Butler was in command.

Q. Who was Mr. Riley?—A. Riley, he had accepted the command, being the oldest and most experienced man in the party.

Q. Then you mean to say that Butler was in command, but was in command only nominally?—A. Yes, sir; I think so, nominally, because he might have been displaced at any moment. He really had no power except as it came from the men personally. He had no office.

Q. Did you not understand that Brown was in command?—A. Brown had the warrant. I stated him to be the constable who had the warrant on Sunday, but this was on Tuesday. It was not a process of law, I do not think, after Sunday. The whites assembled, and it was a regular service of a warrant up to Sunday night, and after the outrages by the blacks on Sunday night, and a violation of the treaty of peace, I did not consider it as a legal process being served any longer, but the people rising to protect themselves.

Q. Mr. Brown has testified that they were all under his command, and that he was engaged all that time at serving that process. Did you so understand it?—A. I did not understand that Mr. Brown was in command except as constable.

Q. Did you understand whether he was in command, in fact, or not on Monday and Tuesday, or whether you recognized Butler as in command?—A. I recognized the command as being under Butler entirely after Sunday.

Q. So far as the command was concerned he was generally recognized by the whites as being their commander——

The WITNESS. After Sunday?

Mr. CAMERON. After Sunday.

A. I think so.

By Mr. CHRISTIANCY :

Q. Did you belong to any democratic club up in that region?—A. I belonged to the Beech Island Democratic Club.

Q. Was the subject of discharging men from their employment or turning them out of their land holds, or the occupancy of land, discussed in that club on account of their voting the republican ticket?—A. It never came up for discussion at any meeting that I was at, and I was at most of them. I do not think it ever came up in the club at all.

Q. I wish you to state whether you do not know that it was a common thing to inform the colored people that if they voted the radical ticket they could not expect to be employed there, or could not expect to occupy the lands of the white people?—A. I do not think it was a common thing. I think it was done sometimes, but I think it was rather an uncommon thing in those neighborhoods that I was familiar with.

Q. You think it was done?—A. I think it was rather an uncommon thing.

Q. Do you know whether the democratic papers in that county advocated such a policy?—A. I do not. I did not take the county paper.

By Mr. CAMERON :

Q. Have any legal proceedings been commenced against you for your participation in the so-called Ellenton riots?—A. They have.

Q. In what court have these proceedings been commenced?—A. I have never been arrested. I understood that there was a warrant for me, and I went to the commissioner and gave bond. I appeared in accordance with that bond at the United States circuit court on the 4th Monday in November.

Q. Do you know what you are charged with?—A. I never saw the warrant; I do not know; I never examined it; I suppose, though, with what all the rest of the men arrested on that thing were charged with; there is plenty of evidence to show it.

Q. Are you still under that bond?—A. I am still under a two thousand dollar bond to appear at the next session of the circuit court.

By Mr. MERRIMON :

Q. Do you know whether any negroes, radicals, were arrested for their participation in that riot?—A. I never heard of one, sir. I heard of one democratic negro that was arrested that was with the white people. I never heard of a republican negro being arrested.

M. SOLOMON—AIKEN COUNTY.

COLUMBIA, S. C., December 30, 1876.

M. SOLOMON sworn and examined.

By Mr. MERRIMON :

Question. State your age.—Answer. I will be thirty-eight years old the 25th of next May.

Q. What is your place of residence?—A. Near the Double Bridges.

Q. What county?—A. In Aiken County.

Q. What is your business?—A. Merchandising.

Q. Which political party do you belong to?—A. I do not belong to any political party at all.

Q. State whether you know anything connected with what is known as the Ellenton riot, in your county, and if so, state what occurred in your own way, as briefly and clearly as you can. Where do you live?—A. I live on the Double Bridges, over the Three Runs, as they call it.

Q. How far from the bridge?—A. One hundred and fifty yards.

Q. Now go on with your statement.—A. On Saturday morning, about eight o'clock, a colored man by the name of Washington Bush came to my store, where there was a good many of colored people; he says to the colored people that was at the store trading with me, he says to me, "You are all here drinking and carrying on, and you don't see that our best men was killed yesterday, and I think it would be a better plan for us to go and assist our men." The colored people all gathered around and wanted to find out the news; how and why he was killed. I am a man under \$2,000 bond to keep my house, and I listened to what they said; and, so there should not be any fuss, I took this Washington Bush and gave him a drink of whisky, and told him to go somewheres else, I didn't want all that fuss around me. He left that day and I heard nothing further until about four o'clock, and then another colored man by the name of Joe Bowers—

By Mr. CHRISTIANCY:

Q. Was this Joe Bowers engaged in the riot with the colored people?—A. Yes, sir.

Q. You know that?—A. I do know that, because this same man, Joe Bowers, was making a crib for me. Joe Bowers came up then and he says, "Look at all the white people going up to Louzo Harley's to kill up the niggers. What we niggers got to do? We ain't got no money to buy any ammunition, and so the best plan for us is to go and break up the cotton-houses, and burn the gin-houses, and carry the cotton to the stores, and buy ammunition with it." I scolded him and said, "I don't want no such expression around me."

That was the last that happened on Saturday. The colored people they have got a church there, and over the church there was a man by the name of Bryant Council, who is secretary of it. He comes to me at one o'clock on Sunday and says to me, "Solomon, what shall I do? I received a letter from Daniel Rouse that I should gather up all the colored people and go to Rouse's Bridge and assist him to fight the whites."

Well, I am rather intimate with the colored population because I make my living from them, and I says, "Bryant, you had better take my advice and not have nothing to do with it." He goes back then, and comes right back. He says to me, "You better look out, because they are going to break up your house and to take out your guns and ammunition from the store;" and I says, "It don't make no difference." In a short time, Bryant and Joe Bowers, and another man by the name of George Artie, and some of them calls him George Williams—they goes by so many names I can't keep track of their names—they came up there to the store, and says I, "Joe, where are you going?" and he says, "I am going to the Neck to try to gather up all the guns I can." I says, "You better stay here; there's no guns in the Neck."

By Mr. MERRIMON:

Q. Where is the Neck?—A. I will explain to you the way it is situated. [Explains by diagram.] The Neck is about a mile and a half from my place. I says to him, "Joe, there is no guns in the Neck." "Well," he says, "I don't care if there is no guns in the Neck. We can go to Simon Coker's. Simon Coker brought fifty-two guns from Columbia that Chamberlain gave to him to distribute amongst the people." I then shut up and didn't say nothing more, and he went off, and soon I saw a large crowd of colored people come around my store.

By Mr. CHRISTIANCY:

Q. What time was that?—A. That was about a quarter past three in the afternoon. When they came there they were right in front of the store under a man by the name of Alex. Wright, who was the commander of them. He had a sword and he was drilling them. At that time when they was drilling, I was sitting in my door, and I took a pencil and took each one's name down and what kind of guns they had, in my own language. I write the Hebrew language, which is all the language I can write; and when my clerk came afterwards I told him to copy it off in his own language.

By Mr. MERRIMON:

Q. Have you got a list of them?—A. I have, sir.

Q. Then read it.—A. I don't possess any English, as I said.

By Mr. CHRISTIANCY:

Q. That is a copy of the list that you took?—A. Yes, sir; I told my clerk to copy it off.

By Mr. MERRIMON:

Q. Is that all of them?—A. That is all the colored people. I have got a list of the whites, too.

Q. What did you see then?—A. I seen two men come from Colonel Foreman's, and one man named Basil Bryant, and the other one his name is John Scott.

Q. White or black?—A. Two black men. They went out in the morning with two muskets on their shoulders to go to help them fellows up at Rouse's Bridge.

By Mr. CHRISTIANCY:

Q. That is, each of them had a musket?—A. Yes, sir; each of them had a musket.

By Mr. CAMERON:

Q. Did they tell you where they were going?—A. Yes, sir; I was asking them and they told me that they were going to Rouse's Bridge. That was Sunday morning. When they came back I seen them going with those guns, and I says to them—

Q. What time did they come back?—A. About half past three o'clock. I said to them, "Where is you going?" and he says, "You white devils got hold of us and took all the guns away from there, and we had to go home peaceable." I said, "Why do you call them white devils? They took the guns away from you so you would not be hurt any more." Bryant said, "Damned if we ain't going to have three guns for every one that they took away from us;" and then they was all there, standing around my place, drinking water. There is a well right in front of my store.

Shortly afterwards they made for the bridge; in about ten or fifteen

minutes we have seen a buggy come up; we have recognized in the buggy, it was two white men, one his name is Charley Evans, and the other, Willie Hankerson. Basil says to me, "I wonder whether they have got any guns or not." I says, "I don't think that they has;" but as soon as they seen them coming they went off. They came to my store and stopped and took a drink of water and went on; that buggy with them two white men. Shortly afterwards I saw another young man come in—the telegraph operator—he went on walking.

Q. Did you talk with him?—A. No, sir; he was in a hurry. His name was Lewis; and a man named Elmore Ashley, and Sonney Bailey, and they went together. I was afraid for them, and hollered for them to halt a minute. I says, "Mr. Ashley, look out when you are going across the bridge, because there is a good many of colored people well armed." He says he didn't think they would hurt him, and soon afterwards I seen about ten or twelve men, which I got every one of their names on that list, coming on.

By Mr. MERRIMON:

Q. Were they whites?—A. They were whites; they stopped at my well.

By Mr. CAMERON:

Q. You have got the list there?—A. Yes, sir.

Q. Well, give it to us.—A. [Witness hands list.] Soon afterwards, I goes down to the bridge and took a stand right here, [indicating;] coming up from the bridge there is a kind of a little place, and I put myself there to see what was going on. I took a position right there off from the bridge. I went down to see what would be going on there on the road. When Elmore Ashley come in fifty yards of the bridge he was halted by two men—one his name is Warren Kelsey, and the other one, Dave Bush.

By Mr. MERRIMON:

Q. Were they black men?—A. Yes, sir; he was halted by them, and they called for his gun. Elmore Ashley spoke to them, and says, "Boys, I am for peace; we have made an agreement for peace, but if nothing will do you but the gun, I can give it to you." In the mean time Alex. Wright came up on the other side and drawed the gun off from across his saddle.

By Mr. CHRISTIANCY:

Q. Took it away from him?—A. Took it away from him.

By Mr. MERRIMON:

Q. The negro took it away from the white man?—A. The negro took it away from the white man. Soon afterwards another negro by the name of Bryant Council comes and talked to them, and for him to go and give the gun back, and then Alex. Wright gave it back to Elmore Ashley, and said to Mr. Ashley, "I don't know whether I can save your life or not, but you better go on;" and Dave Bush and Warren Kelsey, they fired their guns at Elmore. But they fired over his horse. Them white men, when they heard them shoot, they came right up on the bridge.

By Mr. CHRISTIANCY:

Q. What white men?—A. These white men there on that list, [referring to the list handed to the committee.] They came up on the bridge, and was hurrying to get across the bridge, to see what became of Elmore

Ashley; and another fellow by the name of Wilkins Hamilton, he stood there by the bridge, and fired at the whites; and while Wilkins Hamilton fired at the whites, then several shots was fired from one place to another, and then the bridge was tore up, not to let them pass.

Q. Who tore the bridge up?—A. I don't know exactly who was the men tore the bridge up, because it was tore up from that side where the colored people took their stand.

By Mr. MERRIMON:

Q. From the side they were on?—A. From the side they were on. I could not see at that time who tore that bridge up, because I was kind of under the bridge, and, of course, I could not see it. When I seen that done, I went on back to the store. It was pretty nigh dark; it was not quite dark, but it was just dusk. Immediately afterwards Bryant Council comes to me and says, "Poor Basil Bryant is dead. He got killed there." Then he asked my clerk to write a letter to General Butler or somebody at Rouse's Bridge, and he asked my clerk to write a letter for peace.

My clerk took and wrote him a letter, and then they asked me to go and hand that letter, if I knowed where to go. I said, "I can't go at night; and such times as this I won't go out of my house; but next morning I will go and see what I can do with it."

About 10 o'clock we went out, and we have seen a fire, which it seemed to me like Dr. Bailey's barn was a-fire.

Q. What night was that?—A. Sunday night; that thing went on until about twelve o'clock. I was in my house, and about twelve o'clock there was two white men came to my house and woke me up; his name is Mr. Woods, and the other one is George Newman; they said to me—

Mr. CHRISTIANCY. You need not state what they said.

Q. (By Mr. MERRIMON.) State whether you saw any barn burning.—A. I saw the light; that was about ten o'clock in the direction of Dr. Bailey's.

Q. State whether you passed there afterward and saw the barn burned?—A. I want only to say what them was doing that night. Them two men came to my house, and I took and kept them over night. Of course I shall not state nothing that was said if your honor says I shall not say what they said. Next morning, bright and early—it was before they could hardly get out of bed—I heard a drum was beating.

By Mr. CHRISTIANCY:

Q. Monday morning?—A. Monday morning.

By Mr. MERRIMON:

Q. What direction did you hear the drum; up by the Double Bridges?—A. They was all around there; then I goes in the house and says, "Gentlemen, there is a whole lot of niggers coming now; I expect we are all going to be ruined." Mr. Newman, he jumps up and goes out of the house. Mr. Woods, he could not get ready; by the time he could get out of the bed and put on his clothing they was right at my store. I then told to Mr. Woods to be in the house, and I will go outside. I have locked everything up; and I went outside and sat down to look for them, and they all come around the store, and they formed a line right about the store. The captain of it—I was not aware of his name, but afterward I heard of his name, Motte or Morse, or something like that. I don't

know that man, and the other captain his name was Daniel Rouse; and they come to me and said, "Mr. Solomon, you need not be scared, we ain't a going to hurt you, you are our man. That time when I had to go to Columbia we didn't have no money, we come to you for subscription and you helped us, and of course we have got to remember you now." I says, "All right."

In a few minutes they came to me and said, "We are a friend to you, Mr. Solomon; we want to see Mr. Miller"—that is my clerk—"we want to put him in the same place where Basil Bryant was put, and nothing will do but to take white blood this day." I said, "He didn't do nothing to you." They said, "We have heard he was at Rouse's Bridge yesterday." I says, "It is not so; he wasn't there. How could he go if he didn't have no arms and nothing else?" Well, anyhow, they was after him, and nothing would satisfy them but to have him, they said.

At last Mr. Miller opened the door and says to them, "Gentlemen, I have not been at Rouse's Bridge, and if you should take my life you will take innocent blood." Then that captain says, "Well, I tell you what we'll do with you: if you will give us a written obligation that you shall never meddle on neither side, neither on our side or the white people's, we'll let you alone." He says, "All right, I will do that;" and he went and wrote it out and gave it to him, but what he wrote I do not know; but that captain went out and read it to the company.

After they found out that Woods was at my house, then they demanded him. I could not keep them away from my house. They went in and was trying to get axes to break the door, but I commenced to speak to them, and I says, "It is no use for you to attempt that; you can't come into my store; you are too big a crowd. I will tell you what I'll do: if you will go and appoint your committee of two or three men, I will let them go in and search for him." They went out and appointed a committee of three, and in that three, in that committee, there was that captain and Basil Bryant and Daniel Rouse, and they came in in my private house where I live, and looked all around, and did not find him; and then they went in from the house in the store, because that is all one building, only a partition, and I told them, "See, he ain't there." So I gave them a drink of whisky and a cigar, and they went off toward Ellenton—in that direction. I don't know where they went, but they went in that direction.

By Mr. CAMERON:

Q. When was that?—A. That was on Monday morning. After they went to Ellenton, in about the course of two hours there was several of colored men—which I can mention the name if you want it—came to me and asked me about that note what Bryant Council left there. I said, "That note is no good now, because the gentleman told your captain that you have wrote for peace." And they said, "Damn the peace; what's the use of it?"

By Mr. MERRIMON:

Q. Who were they?—A. Colored people; that captain—I don't know his name, whether Motte or Morse. Their name was Washington and Madison Sapp, and John Davis and Allen Flint, and several more which I couldn't think—so much of them there. They was the ones that come back and asked for peace. They come to me then; I should carry that letter. They seen George W. Bush, and they wanted I should carry the letter to him. I says, "If that will do any good, of course I am willing to do anything you want me to do;" and then I took that letter and placed it in George W. Bush's hands.

In about the course of an hour or so, then, I was called off to be on the inquest of the body of Basil Bryant, when his brother call me to that inquest to be on the jury. Here is the verdict that was passed on the body, [handing paper to the committee;] and afterwards everything was peace until about three o'clock in the evening. At three o'clock in the evening I have seen a good many of white people passing by the store.

Q. Which way were they going?—A. Towards Ellenton, across the bridge. They did not stop around the store, but kept on straight ahead, but where they was going I don't know; but that was the last I have seen, except in the evening I have seen a good many white men going in the road, and they have told me that they were going to see about that riot.

Q. Well, go on.—A. That is about all I know. I have seen the men what they was doing; I was interested because I kept my own business. I was not arrested, and they don't want me, it seems.

Q. Did you see Dr. Bailey's barn after that night?—A. About Friday I passed by there and I seen it was burnt up—not his barn, but his mill and gin-house—but I have seen the fire in that direction Sunday night.

Q. What was the name of the colored men who said that they had no money, and they would go and burn the houses, &c.?—A. Joe Bowers.

Q. What did he say?—A. Joe Bowers says, "If the white people goes to kill up the niggers, and we niggers we have got to go and break up the cotton-houses and burn the gin-houses, and carry the cotton to the store and buy ammunition with it.

By Mr. CAMERON:

Q. He said the negroes had no ammunition?—A. Yes, sir; he says that would be the only way they could get their ammunition.

By Mr. MERRIMON:

Q. How many negroes did you see at the Double Bridges at any time during the disturbance?—A. The only thing I can say what I have seen by the store; I can't say what I have seen by the bridges, but at the store, as near as I can get at it, there was about sixty-five or seventy, somewhere along in that way; but on Monday I have seen a good many. I would judge it, as I have not counted—I would judge there was about three or four hundred. I only state that as a judgment.

Q. How many white people did you see there?—A. Sixteen passing the store that Sunday evening.

Q. You have given us their names?—A. They are there, sir. [Pointing to list of names furnished to the committee.]

Q. What was the name of that Bailey whose barn was burned?—A. Dr. Bailey—Wallace Bailey; but we generally call him Dr. Bailey.

Q. Have you stated all you know about it?—A. All I know about that riot I have stated.

Q. State whether you saw armed colored men at any other time.—A. Last Saturday night we were mighty scared, for there was more men out than at any other time since. Last Saturday about from forty to fifty, with old-fashioned muskets and these little carbines, what was never seen in the country before since I live there, and I have been there going on four years.

Q. What were they doing with them?—A. I could not tell; they went from the Neck.

Q. That is a place about a mile from you?—A. That is a place about a mile from me.

Q. South of the Double Bridges?—A. Yes, sir.

Q. You do not know where they were going, or what they were doing?—A. No, sir; I don't know.

By Mr. CAMERON:

Q. Did they hurt anybody?—A. Not that I heard; only what I have heard that they have shot one colored man.

Q. You do not know that yourself?—A. I have heard the colored people saying that they shot him, but as to seeing him, I don't know. They said he said, "If God Almighty will forgive me this time for voting the republican ticket, I will never vote it again." That colored man, his name was Scott; he was the man that got shot.

Q. Was he a democrat?—A. He said he was a republican all up to this time, and he says, "If God Almighty will forgive me this time for voting the republican ticket, I never will vote any more republican ticket." Therefore he got shot.

By Mr. CHRISTIANCY:

Q. That is what he told you?—A. That is what the colored people told me.

Q. He did not tell you so?—A. No, sir; he is in bed.

Q. Was that told you by the colored people?—A. The colored people told me so—his neighbors around there.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. How many white men in all did you see there in the vicinity of your store during these troubles?—A. I could not tell you, sir; because there was so many.

Q. Could you give us any idea?—A. I could not, because they have been passing backward and forward, and of course I could not tell; there may be five hundred, more or less; I don't know, I never count; but if I have counted, of course I can't give the exact count of it.

Q. Were they armed?—A. Which?

Q. The white men that you saw there?—A. Well, some of them were armed and some of them wasn't.

Q. Were those sixteen armed?—A. There was some of them had guns and some of them had pistols, as they usually carry in the country.

Q. I asked you if they were armed?—A. Those arms, of course. I have seen there was a few armed.

Q. How many were armed?—A. Probably there was eight or ten.

Q. What were they armed with?—A. We call armed when they have guns, of course; double-barreled guns.

Q. How many had pistols?—A. That I can't say, because if a pistol is carried I can't tell whether they have it or not.

Q. What were they doing then?—A. They was going home; that was their road to go home.

Q. How do you know where their home was?—A. Because I know they lived around me.

Q. Where were they coming from?—A. They were coming from Rouse's Bridge, that is what they have told me; that is the public road which they have to pass up.

By Mr. MERRIMON:

Q. When was that?—A. On Sunday.

By Mr. CAMERON :

Q. You never attend to anything unless it is your own business?—A. That is so, sir; because a man has got to attend to his own business.

Q. How was it your business to take down those names of the negroes?—A. Because I saw there was going to be trouble, and I thought it would come to a lawsuit, so I wanted to be able to state the fact of it; and I thought it would come to the names.

Q. That is the reason you took down their names, that you thought it would come to a lawsuit?—A. Yes, sir

Q. That is the reason you took down the names of the white men?—A. Yes, sir; certainly.

Q. Why was it important for you to know those names?—A. I knew I would have to be called on the stand, and I would not like to swear to a lie.

Q. You might say you saw a certain party there, and you did not know how many there were?—A. I thought it was the best course to pursue.

Q. You expected to be a witness and you got ready in advance?—A. Certainly, sir.

Q. Whose writing is that? [showing lists of names to the witness.]—A. That is my clerk's.

Q. When was it made?—A. That was made after, when the riot was all over; I called them off to him on Thursday the following.

Q. Who wrote what is written in pencil there?—A. He did that.

Q. The same man wrote that that wrote the other?—A. Yes, sir.

Q. You swear to that, that the same man wrote that in pencil who wrote the rest?—A. Yes, sir.

Q. He must have changed his hand very much?—A. I can't tell that; he done that for me because I could not write the English language.

Q. You say that he wrote all on that paper?—A. All of that; the one man wrote it.

Q. Did he write it at the same time?—A. No, sir.

Q. How long after?—A. He wrote it about three or four days after.

Q. Did you mark on your paper what kind of guns they had?—A. Yes, sir.

Q. At the same time that you wrote the names?—A. Yes, sir; at the same time.

Q. You thought it would be necessary for you to swear to that?—A. I thought so, sir.

Q. Why did not your clerk copy, at that time, the kind of guns they had?—A. Because I did not tell him; I didn't think it would be necessary.

By Mr. CHRISTIANCY :

Q. Do you say that you had stated it on your paper; did you translate it?—A. Certainly, when I put down the name I put down each name and what kind of gun he had, and when I translated it to him I only told him the names.

By Mr. CAMERON :

Q. Why did you not tell him the kind of gun?—A. I do not know why, but some negligence of mine; I can't tell, sir.

Q. You do not know, then, why you did not?—A. No, sir; it did not come in my mind anyhow.

Q. When did it come in your mind?—A. In a few days afterward.

Q. Had you talked with anybody in the mean time about it?—A. No, sir; I hadn't.

Q. You are sure of it?—A. I am sure of it because I haven't talked; in fact—

Q. Wait one moment; you have answered my question. Do not go and make a speech, now. Who wrote that in pencil?—A. This man.

Q. What did he mean by that?—A. That I have told him that the men who has been there on a Sunday—the re-inforcement on Monday—

Q. What does that mean?—A. The names of the men of the re-inforcement which come on Monday.

Q. Why was it done so?—A. That is for me to explain it; they was the men which was the re-inforcement, on Monday, and I didn't know how to write, and so he put that on purpose for them.

Q. Whom have you shown this paper to before?—A. I have shown it to nobody except here to Mr. Croft.

Q. Mr. Croft of Aiken?—A. Yes, sir.

Q. You talked with him about this, did you?—A. I did not; I wanted to show it to him to see what did he think about it.

Q. Did he not make out that paper? [referring to brief in possession of Senator Merrimon.]—A. He did.

Q. You told him what you could swear to, did you not?—A. Yes, sir.

Q. And he put it down on that paper?—A. Yes, sir.

Q. Who was the captain of the mob on the 17th of October?—A. Daniel Rouse and Morse or Motte, or something—I don't know his name.

Q. When was Basil Bryant killed?—A. Basil Bryant was killed on Sunday evening.

[The following are the lists submitted by the witness and referred to in his testimony:]

A list of whites that was fired upon by the negro mob on Sunday night October 17, 1876.

W. E. Hankenson, Charles Evans, S. P. Lewis, Elmore Ashley, W. Bailey, J. B. Cochran, J. Boatright, Frank Williams, Wm. Wood, George Newman, D. H. Crossland, J. H. Bush, Sid Hankenson, R. J. Dunbar, W. D. Bush, S. Simpkins.

A list of colored men implicated in the Ellenton riot, October 17 and 18, 1876. Sunday night, October 17, 1876.

Henry Hosey, shot-gun; Isaac Mobley, carbine; Jim Mobley, shot-gun; Berry Davis, shot-gun; Plis Baker, carbine; Walker Bush, carbine; Washington Bush, shot-gun; Phillip Patterson, musket; Charles Williamson, shot-gun; John Scott, musket; Jack Sapp, musket; Allen Sapp, shot-gun; Hamp Williams, shot-gun; Frank Garvin, musket; Walter Dayvall, shot-gun; Pete Dayvall, shot-gun; Gilbert Neal, musket; Auscar Brown, shot-gun and pistol; Lemon Bryant, George Bryant; Jasper Bush, carbine; Miledge Sapp, musket; Sim Sapp; Gus Bush, carbine; Joe Scott, shot-gun; George Williamson, shot-gun and pistol; Bryant Council; Elick Wright, sword; Joe Bowers; Peter Dunbar, shot-gun; Isaac Evans, shot-gun; Seaburn Johnson, shot-gun; Jack Robertson; Ben Robertson, shot-gun; Charles Robertson, shot-gun; Henry Bush, musket; Joe Lewis, shot-gun; Spencer Bush, carbine; Wallace Drayton, musket; Large Williams, shot-gun; Jerry Weatherbee, John Small, shot-gun; Ned Brown, carbine; Henry Whiteside; Leroy Young, pistol; Dave Bush, shot-gun; Warren Kelsey, shot-gun and pistol; John Kelsey, shot-gun; Bassel Bryant, musket; Wilkins Hamilton, shot-gun and pistol; Wade Hampton, shot-gun; George Henry, shot-gun; John Burnett, shot-gun; Council Haynes, shot-gun; Ben McElmurry, shot-gun; Gyles Wright, shot-gun; Tom Patterson, shot-gun; Jesse Williamson; Wm. Walker, shot-gun; Walker Clay, shot-gun.

Monday morning, October 18, 1876.

Daniel Rouse, pistol; Hammond Rouse, shot-gun; John Hankenson, Sigh Foreman, Jim Kelley, William Smith, Allen Davis, Henry Jenkins.

Captain of mob October 17, 1876, Elick Wright.

Captain on October 18, 1876, Daniel Rouse and a man unknown.

Instigator of riot, Joseph Bowers, colored.

The within list of Monday is a re-inforcement to the mob of Sunday, October 17, 1876, and other men unknown.

J. T. BUTLER—AIKEN COUNTY.

COLUMBIA, S. C., *January 1, 1877.*

J. T. BUTLER sworn and examined.

By Mr. MERRIMON:

Question. Where do you reside?—Answer. Within three miles of Hamburg.

Q. How old are you?—A. Going on twenty-two.

Q. What political party do you belong to?—A. I belong to the democratic party.

Q. What is your business?—A. Well, I have not been doing much business. I have not been long from school. I am just stopping around home, living with my father.

By Mr. CHRISTIANCY:

Q. What is your father's name?—A. R. J. Butler.

By Mr. MERRIMON:

Q. State whether you had any controversy on the public road, near Hamburg, with the members of a militia company; and if you say yes, state where you were going, what happened, on what road you were, and what time in the evening it occurred.

By Mr. CHRISTIANCY:

Q. When was this, first?—A. On the 3d of July. I went to town in the morning with a load of produce, and another in the evening.

By Mr. MERRIMON:

Q. To which town?—A. To Augusta. Then I was going out, and it was about sundown. I turned to go back up through the town, going by Martintown. Right up at the upper end of Hamburg I saw three negroes.

Q. Which way does that road lead?—A. It leads out into the Edgefield road—straight out to the Edgefield road—and it goes out about one-half a mile and turns to the left, and that was the Martintown road.

Q. Was there anybody with you?—A. There was not anybody with me when I saw these three colored men.

Q. Where were they?—A. They were sitting on the steps of a place at the end of Hamburg.

Q. What sort of a place?—A. On the door-steps, on one of the doors there, and I was driving pretty fast, in a hurry to get home, and one of them, just as I got opposite to him, he let into cursing me, and I took up my horse, as soon as I could, and turned round and asked him what did he mean by cursing me in such a way; I hadn't done anything to him.

By Mr. CAMERON:

Q. What was his name?—A. Dave Philips. By that time there were two more walked up from the front of the house, with two of these Army guns.

Q. Give their names.—A. I couldn't give their names, I didn't know them.

By Mr. MERRIMON:

Q. Well, what did they do?—A. Well, they cursed me there for everything. I went on home, and told my father what they had said to me.

Q. Tell us what they did. Did they make any hostile demonstration?—A. Yes, sir; they cursed me for a damn son of a bitch, and said that they would shoot me.

Q. Who was that?—A. These parties.

Q. Were they all armed?—A. Yes, sir; they were all armed. One of them had a revolver and the others had rifles.

Q. What sort of rifles?—A. These here Remington rifles.

Q. How did you get away from them?—A. I just drove off and left them cursing me.

Q. State whether at any other time you were halted on the streets of Hamburg by colored militia, and if you say so, state what occurred.—A. I was coming from Augusta with my brother-in-law in a buggy—

Q. When?—A. On the evening of the 4th of July.

Q. Now state what happened, and where you were.

By Mr. CHRISTIANCY :

Q. What is your brother-in-law's name?—A. Henry Getzen. We drove up to the Charlotte and Columbia Railroad, and there we seen a crowd of colored people standing in the middle of the street. I drove on and they came up, and about that time I seen that they were drilling, deploying there, and they went to the further end of the street, and I drove right on down, and as we got right opposite the well, they came back and met us right there, and my horse is rather lazy, and he was going along slow and I was not paying much attention to him. My mind was turned off on them, and I came along in a walk and we came up close to these men, and a boy stuck his drum under my horse's feet and drummed underneath him. Then they opened like they was going to let me go on, and I started to go through, and one of the men, I didn't know then who he was, he says to me, "Mr. Butler, is you going to ride over me?" I says, "No, I only want the road." They said God damn our souls to hell; they was going to keep us there all night. And they cursed us and kept us there about ten or fifteen minutes, and Doc. Adams says—by that time it commenced raining, and Doc. Adams says, "It is raining; if it wa'n't for that we would keep you here all night." They opened then and we drove on through in a walk. Pretty soon we seen Jim Cooke coming after us to arrest us.

Q. How did you know he was coming to arrest you?—A. I heard some of them say there that he said he was going to do it. I didn't know it, of course; that was what he said he was going to do. He was marshal of the town, and he was coming on after us in the street, running to try to keep up with us, but after we got through we drove on, and by that time I got into my father's street.

By Mr. MERRIMON :

Q. Were you going on the regular road over across from Augusta to your father's farm?—A. Yes, sir. Father pays twenty-five dollars a month, and he has paid seven and one-half dollars extra for wagons, that pass going over there carrying our produce.

Q. Was that on one of the streets of the city?—A. Yes, sir; it was one of the streets of the city.

Q. The street that led up toward your father's farm?—A. The street that led up to my father's farm.

Q. At the end of the street there was a gate opening into his field?—A. Yes, sir.

Q. And you were going to that gate?—A. Yes, sir.

Q. These men were marching along the road?—A. Yes, sir.

Q. You met them where?—A. Right there at the well. There was a ditch running from one side of the street to the well, and there was no bridge across the ditch, and they deployed across the street in this position with their guns across their shoulders, [indicating,] and they asked me was I going to try to drive over them, and I told them no; all I wanted was the road.

Q. Was there room for you to have driven around the ditch?—A. There was not; the only way we could have got to the road was to have turned and driven back a square.

Q. Have you got a diagram of the road there?—A. No, sir; I have not.

Q. You say that you could not get through them, as the ditch ran there?—A. As the ditch ran there, I couldn't get through them unless I turned about and drove back.

Q. Well, what did you say to them; did you curse them back?—A. No, sir; I didn't curse them, I only told them all I wanted was the road.

Q. Who was with you?—A. Henry Getzen.

Q. Well, you passed through and passed on home?—A. Yes, sir.

Q. What happened after that about that transaction; did any parties threaten that they intended to take your life?—A. Yes, sir; Dave Philips told me that he would kill me the evening he seed me.

Q. He told you this when?—A. The evening before.

Q. Then, what was done on Saturday?—A. On Thursday we had a trial there.

Q. I want to know what was done before you came to the trial. On the 3d of July you say these men met you on the street?—A. Yes, sir.

Q. On the 4th you were stopped by a negro militia company; then what was done after that?—A. Rivers called for the company to—

Q. Did you go to Rivers?—A. Yes, sir.

Q. When?—A. We went to Rivers on the 5th of July, and told him we wanted him to send for the general of the militia; he said he didn't know anything about them being a militia—Rivers said that he didn't know anything about them being a militia, and then he called on the officers to come there to see who was in the wrong, and Henry Getzen was put on the stand.

Q. What day was this?—A. On Thursday, the 6th of July. On the 5th of July we went and seen Rivers, and he met the next day and called us, and Doc. Adams made such an ado in the court that they had him arrested for contempt of court, and Attaway then came out and swore and commenced to God damn, and he cursed Rivers for a God damn white-livered son of a bitch.

Q. That was while Rivers was sitting in court?—A. That was while Rivers was sitting in the court; he came out and stated that.

Q. You were there on the 6th?—A. Yes, sir; and then the court was put off until Saturday.

Q. Well, did you have any arms with you at that time?—A. I did.

Q. What arms?—A. I had my rifle with me.

Q. What did you take a rifle along with you to a court of justice for?—A. Because my life had been threatened; they determined to kill me, and I carried it for my bodily protection.

Q. Is it usual, in your section, to go armed?—A. Well, it is not usual there for people to carry guns, but it is usual there to carry pistols.

Q. You say that the trial then was adjourned over?—A. Yes, sir; until Saturday.

Q. What day was that?—A. That was on the 8th of July.

Q. Well, what time in the day was it adjourned to?—A. Until 4 o'clock.

Q. Saturday evening?—A. Yes, sir.

Q. State whether you went back there Saturday, and if you went back, the time that you met there.—A. I went there Saturday evening between 2 and 3 o'clock.

Q. What day was that on?—A. Saturday, the 8th of July. When I got to town I found my father and General Butler with him there at Mr. Damm's store.

Q. What did you do then?—A. General Butler came there to act as lawyer for my father, and they went around to court, and they didn't come.

By Mr. CAMERON:

Q. Did you go around to the court?—A. Yes, sir; I went around with them.

By Mr. MERRIMON:

Q. You went around to the court?—A. Yes, sir.

Q. What was done there?—A. There didn't no one come, and we heard——

Q. You need not tell what you heard. The negroes did not come?—A. No, sir.

Q. You were there?—A. I was.

Q. Was General Butler there?—A. Yes, sir.

Q. Was your father there?—A. Yes, sir.

Q. Were you ready for trial on that day?—A. Yes, sir.

Q. And the negroes did not come?—A. No, sir.

Q. Though the trial had been adjourned to that hour?—A. Yes, sir.

Q. What happened after that?—A. That evening they fired out of the windows at us.

Q. What windows?—A. The drill-room windows. I think the house belongs to Sibly. It is a brick house; the railroad runs right along there, and there is a big brick house sitting there that is Sibly's, and they was up in there.

Q. What were they doing up there?—A. I didn't go up there; I couldn't tell.

Q. Could you see?—A. No, sir; I couldn't see them.

Q. Were there many white people there?—A. There were about sixty or seventy.

Q. Were they armed?—A. I suppose they were armed with pistols; I didn't see anything else.

Q. The negroes were in the drill-room and the whites were standing around the streets?—A. Yes, sir.

Q. You say that the negroes fired first from that house?—A. They did, sir.

Q. And then you returned the fire?—A. We did.

Q. How many times did you fire?—A. I fired two or three times.

Q. State whether you saw General Butler at Hamburgh that evening.—A. I told you that I seen him around at Mr. Damm's store, and during the evening I saw him again on the corner this side of the drill-room, by the bank building.

Q. What was he in town for that evening?—A. For an attorney for my father.

Q. Did he have anything to do with the riot?—A. He did not.

Q. What time did you go home that night?—A. I went home between 12 and 1 o'clock.

Q. Who went home with you?—A. General Butler and my father, and Johnny Sherood.

Q. Had anybody been killed before you left Hamburg?—A. There had been two killed before I left Hamburg.

Q. Who were they?—A. Jim Cook and Moses Parks.

Q. Had not Attaway, Phillips, Minyard, and Stevens been killed when you left town?—A. No, sir.

Q. Are you sure of that?—A. To my own knowledge, I am sure of it. If they was I didn't know it.

Q. When did you first hear that they were killed?—A. The next morning, sir.

Q. Whom did you leave in town that night when you went home?—A. I left a good many fellows from Augusta; there were a good many there; a drunken crowd from over there on the other side of the river.

Q. Who had been killed before you left?—A. There was one I forgot to tell you—Mackey Merriwether was killed that night.

Q. What was he—a colored man?—A. A white man.

Q. Where was he killed?—A. I didn't see him killed; they said, though, that he was killed.

Q. Whom did you see killed?—A. I saw Moses Parks and Jim Cook.

Q. Do you know who killed them?—A. I do not.

Q. State whether you saw the bodies of these men after they were killed, and, if so, where you saw them.—A. Well, sir, I seen the bodies; I seen Jim Cook on the right-hand side of the railroad, and I seen Moses Parks between it and Davis Lepfield's house.

Q. State whether you had at any time any difficulty with the negroes, or did you do anything to them that provoked them to insult you as they did?—A. I did not.

Q. Had you ever had any trouble with them in any way?—A. No, sir; I had not.

Q. Is that all you know about it?—A. Yes, sir; that is all I know about it.

Q. What, if any, political motive did you have in connection with that transaction?—A. No political motive whatever.

Q. Do you know whether anybody else had?—A. No, sir; I do not know that any one else did. I didn't hear political matters mentioned.

Q. What gave rise to the disturbance there?—A. Well, it was because they had stopped us there in the road, and were threatening to injure us; and a good many of our relations and friends came down to keep them from it, and they shot at me that evening—shot at us from the window.

CROSS EXAMINATION.

By Mr. CAMERON :

Q. Have you been arrested for your connection with the Hamburg riot?—A. I have, sir.

Q. When were you arrested?—A. I couldn't tell you; I don't recollect the time.

Q. State it as near as you can.—A. I hate to say, because I—

Q. How long after the riot occurred were you arrested?—A. Two or three weeks; somewhere along there—a month, may be. I couldn't say for certain.

Q. By whom were you arrested?—A. By Mr. Jordan.

Q. What official position did Mr. Jordan hold in the county at that time?—A. He was sheriff.

Q. What were you charged with?—A. Charged with murder.

Q. Were you examined before a trial-justice?—A. No, sir.

Q. Did you give bond for your appearance at the court?—A. Yes, sir; I did.

Q. You are still under that bond?—A. I am.

Q. You are still charged with murder?—A. Yes, sir; that's in the warrant.

Q. When have you last seen Dave Phillips?—A. I have not seen Dave Phillips since the 6th of July, the first time that we went to trial.

Q. Did you see his body after he was killed?—A. I did not.

Q. Was he killed at that time?—A. I don't know, sir; I didn't see him killed.

Q. Which of the men that were killed did you see when they were killed?—A. I never seen neither one of them killed. I seen two after they were killed.

Q. What time did you see the dead body of James Cook?—A. Well, I suppose it was about 10 o'clock, as nigh as I can come at it. I didn't have any watch.

Q. How soon was it after that that you went home?—A. I don't know how long it was. I went home between 12 and 1 o'clock some time. I couldn't tell only by guess; I didn't have any watch with me.

Q. Did you notice when you got home what time it was?—A. No, sir; I did not.

Q. What time did you go to bed that night?—A. I went to bed directly after I got home. I don't recollect what time it was; it was between 12 and 1 o'clock, though.

Q. What time did you get up the next morning?—A. I got up about 8 o'clock.

Q. What time was it when you saw the dead body of Moses Parks?—A. About half an hour after I seen Jim Cook's.

Q. Where was his dead body?—A. His dead body was between the railroad and Davis Lepfield's.

Q. Which of these men did you fire at?—A. I didn't fire at either one of them.

Q. You swear to that?—A. I didn't fire at either one of them.

Q. You will swear to that, will you?—A. I will.

Q. How many times did you fire there on that building?—A. I told you I fired two or three times.

Q. You have not told us how many more times.—A. I don't recollect of firing any more than two or three times on that building.

Q. What time was it when you fired?—A. Well, it was getting dark, getting a little dusk.

Q. Getting a little dusk?—A. Yes, sir; getting a little dusk.

Q. You fired with your rifle?—A. I did.

Q. How many pistols did you have with you?—A. I didn't have any.

Q. What sort of a rifle was yours?—A. It was one of these repeating rifles.

Q. How many times would it shoot?—A. It would shoot eighteen times.

Q. How many charges had it in when this battle commenced?—A. I don't recollect.

Q. I did not ask you whether you recollect or not. Can you tell?—A. No; I told you I didn't know how many it had in.

Q. You did not tell me that; you told me you did not recollect.—A. Well, I don't know how many it had in.

Q. How many charges did it have in the next morning?—A. I don't know that, even.

Q. How many times did you fire in all?—A. Two or three times, I told you.

Q. Only two or three times?—A. Only two or three times it is to my recollection.

Q. Did you have your rifle in your possession during the whole evening?—A. I did, sir.

Q. Where did you go after firing at the building?—A. I staid around there at the corner, right at the bank-building.

Q. How far did you go up or down the street from that place?—A. I did not go anywhere, only stood right there until after the firing commenced, and then I walked around to Davis Lepfield's corner to see where my father was.

Q. I did not ask you anything about that. If you will be good enough to answer my questions without volunteering anything more. Is Lepfield's on another street from the street that the drill-room was on?—A. It is on a different street; it is on the same square, but it is on a different street—one street runs by both of them.

[The witness by direction of Senator Christiancy drew a diagram of the Savannah River and the streets of the town of Hamburg referred to in his evidence.]

Q. What, in your opinion, is the width of the street where you met the militia company on the 4th of July?—A. I couldn't say for certain; I don't know. I think it was about one hundred or one hundred and fifty feet wide.

Q. What time of the day did you meet the colored company there?—A. I don't know precisely what time of the day it was, but it was late in the day, about an hour by sun.

Q. Which way were you going, toward home or from it?—A. I was going toward home.

Q. How long had you been in Hamburg before you met the company?—A. I just came right on through.

Q. Right on from Augusta?—A. Yes, sir.

Q. Did or did you not stop in Hamburg before you met the company that day?—A. I didn't, as we went back, at all.

Q. Did you see the company parading when you were going over to Augusta?—A. I did not.

Q. Then you may state whether or not that was the first time you saw the colored company that day.—A. That was the first time I saw them that day.

Q. About how many men should you judge were in the company when you met them?—A. Well, I don't know; there was not very many. I don't think there was over fifty or sixty, to my notion; I don't tell you for certain, because I don't know; that was what I took it.

Q. How many were marching; how many in each rank?—A. I didn't notice particularly how; they were marching, but they were marching about eight deep across the street.

Q. Did you notice how many ranks there were of them?—A. No, sir; I did not.

Q. About how far apart were the men as they marched?—A. Well, before they came up they were marching side and side, and when they got there to the well they opened about six feet apart.

Q. And they were walking about eight deep?—A. Yes, sir.

Q. Were they marching near the middle of the street when you met them?—A. Yes, sir.

Q. The company were going down the river when you met them?—A.

When we seen them they were going up the river, and then they re turned and met us right at the well.

Q. When you met them they were going down the river and you were going up the river?—A. Yes, sir; when we met them we were going up the river and they were going down the river.

Q. Was there a traveled track on each side of the street?—A. No, sir.

Q. Was the street comparatively level where you met them?—A. I couldn't tell you about that; there was a good many bushes. The only road was right up through the middle of the street.

Q. I ask you whether or not the street is comparatively level where you met them?—A. I don't know; I didn't have a spirit-level there; I couldn't tell you.

Q. What is the width of the traveled track?—A. It is a little wider than a buggy.

Q. About how many feet would that be?—A. I don't know; I suppose the road there in some places is a little wider than in others.

Q. I am speaking now of the point where you met the company?—A. I suppose it was about 10 feet wide; that's as near as I can come at it.

Q. Now I will ask you whether a buggy could not travel anywhere on the street where you met the company, except on that track that you say is ten feet wide?—A. They could by driving through weeds, but we couldn't that day because the militia company was between the well and deploying clear back to the fence.

By Mr. CHRISTIANCY:

Q. On which side?—A. On the right hand going up or the left-hand side coming down. When we met the colored company they were deployed from the well to the fence on the side of the street toward the river.

Q. And that well is about in the center of the street?—A. As near as I can come at it.

Q. What is there on the other side of the street, between the well and the fence?—A. There's a ditch there.

Q. How wide is that ditch?—A. I don't know, sir; I suppose it is three feet wide.

Q. Whereabouts is the ditch situated?—A. It ran right up the middle of the street.

Q. No, no; I am speaking now of the street on which you met the men?—A. I didn't say there was any ditch on that street; the ditch run through that street across the main street as far as the well.

Q. Where did you meet the company?—A. Right at the well; my horse stopped within a few feet of the well, on the lower side.

By Mr. MERRIMON:

Q. On the side down the river?—A. On the side down the river; and the negroes were at the well, deployed there across the street from the well and the river side of the street.

By Mr. CAMERON:

Q. I will ask you whether or not you could not turn off on the street in which you say there is a ditch?—A. There's a ditch across this street, so that I couldn't have got out unless I backed my horse.

By Mr. CHRISTIANCY:

Q. Could you not have driven over that ditch?—A. No, sir. I might have driven over it and broken my buggy, for it was a ditch three feet and a half wide, and one foot and a half deep.

Q. These streets remain the same, do they?—A. Yes, sir, they do.

Q. They are in the same condition substantially?—A. There was a ditch the last time I seen them.

By Mr. CAMERON :

Q. When did you see them?—A. One day last week.

Q. Will you swear that there is not a traveled track between the well and the right-hand side of that main street going up, or that there was not at the time that you met the colored company there?—A. I will swear that there ain't a traveled road on the side of the main street toward the country.

Q. How rapidly were you traveling when you met the company?—A. I was traveling at a very slow pace; a mere walk. When my horse got about as far as from here to the door he stopped down to a walk.

Q. What conversation did you have with any person that appeared to know you there?—A. When I drove up, Doc Adams said I couldn't go by. I told him all I wanted was the road. He said that I could turn around and go back. I said, "You can let us go through here; it is easier for you to move around and let me go out; just open your ranks a little and I will go on through;" and he said, "I won't do it," and cursed us, and I said I could stay there as long as he could; and it commenced raining, and he said to his company he wouldn't get the guns wet, and started on; and they cursed us for sons of bitches.

Q. What did you say?—A. I never said anything to them out of the way.

Q. What did Henry Getzen say?—A. I don't recollect as he said anything. Here is what he said to them: he told them, never mind; not to be cursing him; that it wouldn't be always that way that they would be cursing him.

Q. That is all he said?—A. That is all I understood him to say.

Q. He did not use any profane language?—A. I didn't understand him to use any.

Q. You did not?—A. I never opened my mouth, only said I wanted the street.

Q. That is all you said?—A. That is all I said.

Q. You were very civil?—A. Yes, sir; I was civil that time; I didn't open my mouth to them.

Q. When did you go to Rivers's office next after that?—A. I went to Rivers's office the next morning, and Rivers wa'n't at home.

Q. What time did you go the next morning?—A. I suppose about 10 o'clock.

Q. Who accompanied you to Rivers's office?—A. My brother, my father, and Henry Getzen.

Q. Which of your brothers?—A. The only one I have got, Harrison Butler. Henry Getzen is my brother-in-law.

Q. When did you first see Rivers after that?—A. I saw him about 12 o'clock that day.

Q. Where did you see him?—A. I saw him down to his plantation.

Q. When did you go to Rivers's office for the purpose of getting out a warrant or commencing a suit, or whatever it was?—A. My father went there to get a warrant out for Dave Philips, a peace-warrant, and wanted to see if he couldn't see Rivers.

Q. You were with your father?—A. Yes, sir.

Q. What time was it that you get the warrant?—A. We got the warrant on Thursday, the 6th of July.

Q. What time in the day did you get out this warrant?—A. I don't know.

Q. Was it in the morning or evening?—A. I have forgotten whether it was in the morning or evening. I won't say for certain.

Q. Then you swear you cannot tell?—A. I can't say what time it was that father took the peace-warrant out, because I don't know.

Q. Did you accompany your father to his office when he went for it?—A. I did.

By Mr. CHRISTIANCY :

Q. For whom was the warrant?—A. Dave Phillips.

By Mr. CAMERON :

Q. Will you tell us whether it was before noon or after noon?—A. I have just stated I didn't know what time of day it was.

Q. Perhaps you can tell us whether it was in the forenoon or afternoon?—A. I don't recollect; it has been a good while ago, and about that I cannot recollect for certain.

Q. When have you last talked with General Butler about this Ham-
burgh affair?—A. I talked with him this morning.

Q. You talked the matter over with him?—A. I talked it over this morning.

Q. You stated to him, did you, what you could swear to?—A. I didn't state what I could swear to.

Q. Did you not tell him what you would swear to?—A. I told him some of it; I didn't tell him all. He asked some questions there, and then sent me to answer the questions in here.

Q. He asked you questions and you answered them?—A. No, sir; I didn't answer them.

Q. Had you ever talked with him before about that?—A. A good many times.

Q. When did you last talk with your father about it?—A. I said some few words to him about it this morning.

Q. Have you frequently talked with him about it?—A. I don't recollect saying a word to him before in two or three months about it.

Q. You talked with him about it about the time you were arrested, did you not?—A. Yes, sir.

Q. When have you talked with Getzen about it?—A. A good many times.

Q. When have you talked with your brother Harrison about it?—A. I don't recollect of talking to him about it; I don't know when.

Q. You stated that a good many of your relations went to Ham-
burgh on the 8th?—A. Yes, sir; they heard we was to be mobbed there, and they went down—me and Henry Getzen.

Q. About how many of your relations were there?—A. Well, there was our friends and our relations. I told you there was sixty white men.

Q. What time did they come there?—A. About four o'clock, at the time our trial was to come off.

Q. Did you see the most of them in town that day?—A. I seen a good many of them, sir.

Q. Were they armed or not?—A. I suppose they were armed with pistols; they didn't have any guns.

Q. You had a gun?—A. I did, sir.

Q. Did your father have one?—A. No, sir.

Q. Have any guns in the buggy?—A. He did not.

Q. You are the only person who had a gun on that occasion?—A. I had my gun. My life had been threatened, and I had carried my gun for my own protection.

Q. I asked you if you were the only person there that had a gun?—A. I didn't see any one else there with a gun.

Q. You had the only gun that was there?—A. The only gun; yes, sir.

Q. You swear positively to that?—A. That I was the only person I seen with a gun.

By Mr. CHRISTIANCY:

Q. That night?—A. No, sir; I didn't say that night. I saw a good many persons that night with guns.

By Mr. CAMERON:

Q. Give the names of all your relations who were there for the purpose of being present at the mob they expected to come off?—A. Hugh Shaw was there for one.

Q. Is he a relative of yours?—A. Yes, sir.

Q. What is his relationship?—A. He is a cousin of mine; I couldn't say what cousin.

Q. Where does he reside?—A. He lives about a mile from Sweet Water, Ga., up in the country.

Q. How far is that from Hamburgh?—A. About eight miles.

Q. Well, who else?—A. Preacher Welington, a relation of Henry Getzen.

Q. Where does he reside?—A. About a mile the other side of Hugh Shaw's.

Q. Who else?—A. I don't recollect all the names.

Q. Can you give the names of any more of your relations who were there?—A. I told you I didn't recollect the names.

Q. I understand you told me that, but can you give the names of any others?—A. My brother was there that day; he was a relation of mine.

Q. Harrison Butler?—A. Yes, sir.

Q. Where does he reside?—A. Three miles from Hamburgh.

Q. Can you name any more?—A. I object to being asked any more questions about who the names were.

Q. Was your father there?—A. He was.

Q. Was your brother Harrison there?—A. I stated he was there.

Q. Was General M. C. Butler there?—A. He was.

Q. Is he a relation of yours?—A. Not as I know of; if he is, it is mighty distant.

Q. You may give the names of any other of your relations who were there.

By Mr. MERRIMON:

Q. Mr. Butler, state all you know.—A. I have told them all I know.

Q. Then why did you not say so?—A. I told them I did not know any more of them; I have forgotten the names; I don't recollect the names of the others.

By Mr. CAMERON:

Q. Well, give the names of any persons who were not relations of yours, but whom you have described as friends, who were there at the time.—A. I don't recollect.

Q. Give the name of any one there.—A. I told you I have given you all the names I recollect of.

Q. No, you have not told us that.—A. I tell you so now. I have given you all the names I recollect of to my recollection.

Q. You swear to that positively, that you cannot recollect any other names?—A. I can't recollect any other names, only Colonel Butler.

Q. Col. A. P. Butler?—A. Col. A. P. Butler.

Q. How far does he reside from there?—A. Six miles.

Q. Where were those relations and friends of yours about four o'clock in the afternoon of the 8th of July?—A. There was a meeting to be organized at Summer Hill, about three miles from town, and they all met there and came down to Hamburg.

By Mr. MERRIMON :

Q. Do you know that of your own knowledge?—A. Only what I have heard.

Mr. MERRIMON. You cannot tell what you have heard. You have been told that twenty times.

By Mr. CAMERON :

Q. At what time did they get to Hamburg?—A. They got there about four o'clock, I reckon.

Q. Where did you first see them in Hamburg?—A. I believe I seen them coming in the street around by the bank-building.

Q. Where did they go from the bank-building?—A. Well, they knocked around the street; around about in different places.

Q. Where were they at four o'clock in the afternoon of that day?—A. They came in town about that time.

Q. Where were you?—A. I was in Hamburg waiting for trial.

Q. Did you have a trial there?—A. I was to have one there; we went to meet them, and nobody didn't come.

Q. What were you to be tried for?—A. We went to Rivers and seen him, if he couldn't stop the obstruction of the highway where we have to carry our provisions, and we wanted to see if he couldn't stop it, being he was a brigadier-general of the army. Rivers told us that he didn't know anything about their arms; he didn't give them to them, and didn't know whether it was a militia company or not; that they didn't get any orders from him.

Q. Now, having made that speech, perhaps you will answer my question. I asked you what trial you were to have on the 8th?—A. I was a witness in the trial.

Q. Then you were not to have any trial?—A. Well, there was a trial to take place, and I went there with my father; we, all of us, went there to the trial; I don't know what you may call it.

Q. When you say "all of us went there," what do you mean by that?—A. Me and my father and brother-in-law, and General Butler as an attorney for my father.

Q. Do you know that of your own knowledge?—A. I do.

Q. When did your father send for General Butler?—A. He sent for him on the evening of the 6th of July, but I don't think he got the word until next evening.

Q. You do not know whether he got it at all or not, do you?—A. I don't know it of my own knowledge; I didn't see it; but Col. Tom Shaw told him; father sent word by him; I heard him tell him so.

Q. You stated in the direct examination that persons stopped you on the streets; what did they do?—A. I don't know what you call it; he commenced cursing me and said he would kill me.

Q. State what he said.—A. He cursed me for a God damned son of

a bitch, and I knew I was there alone in my buggy and my horse would stop with me, and I knew if I had any fuss with them that there was four or five of them to my one, and I couldn't do anything with the crowd; so I drove off and left them.

Q. State what he said to you.—A. Didn't I say he commenced cursing me for a God damned son of a bitch, and said, "Go on, you God damned son of a bitch." I said, "What are you cursing me for? I ain't done nothing to you," and he said, "You God damned son of a bitch, I am going to kill you." I said I hadn't done anything to him for him to kill me for it, "but you can come and do it if you want to kill me." He said, "I will kill you." I said, "You can kill me now if you want to." I said, "I don't think you ought to be cursing me in such a way; you know you have got the advantage of me." He cursed me for a God damned rascal, and I drove off and left them, because I considered they had too much advantage.

Q. You considered this a very ill-disposed young man?—A. I don't know about that. I hadn't bothered anybody's business; but, of course, if anybody bothers mine I would try to defend myself. I wish to give no insolence to anybody, and I don't want to take any from anybody.

Q. Was the party in the street when he cursed you?—A. He was; he got up and commenced cursing me when I came along. My horse was going pretty fast, and I checked him up about as far as from here to the front door, when they commenced cursing me. The last time he cursed me I was about thirty yards from him.

Q. Where were you when the first shot was fired from the armory?—A. I was at the bank-building.

Q. After that shooting was, first, where did you then go?—A. I staid right there.

Q. From what point did you fire at the armory-building?—A. I fired from the bank-building right to the left.

Q. Were there any other shots fired apparently at the drill-room at the same time that you fired?—A. There were two or three others fired.

Q. How many?—A. I don't know.

Q. Who fired any of them?—A. I don't recollect.

Q. Do you know?—A. No, sir; I don't know who shot them.

By Mr. CHRISTIANCY :

Q. Not one of them?—A. Not one of them

By Mr. CAMERON :

Q. About how many shots were fired at the armory-building before the cannon was brought over from Augusta?—A. I don't know that.

Q. Can you not estimate the number?—A. I told you I didn't know.

Q. Were there ten, do you suppose?—A. I don't know.

Q. Were there ten?—A. I don't know.

Q. Were there five?—A. I don't know how many was fired, and for that reason I won't say, because I don't know.

Q. Were there probably five shots fired?—A. There were over five, but I don't know how many; I saw two or three of them myself.

By Mr. CHRISTIANCY :

Q. Were there fifty, probably?—A. I don't know whether there were or not.

Q. Well, what is your best estimate of the number of shots fired at the armory-building before the cannon was brought over?—A. I don't know.

By Mr. CAMERON :

Q. Can you make any estimate ?

Mr. MERRIMON. Just say yes or no.

A. No, I don't know.

Q. [By Mr. CAMERON.] What time was the cannon brought over ?—A. I don't know ; I suppose it was about eleven o'clock. That is about the time, I think, it was brought over ; I don't say for certain whether it was or not.

Q. Where was the cannon located when it was fired at the armory-building ?—A. I don't know ; I didn't see it.

By Mr. CHRISTIANCY :

Q. Did you see the cannon at all ?—A. No, sir ; I did not.

By Mr. CAMERON :

Q. Where were you when the cannon was fired ?—A. I was at Davis Lepfield's corner seeing what had become of my father.

Q. Mark where Davis Lepfield's corner is on the map. [Diagram made by the witness.]—A. I refuse to do it.

By Mr. MERRIMON :

Q. State why you will not do it.—A. Because I don't know anything about mapping ; never drew any map in my life.

Q. There is running along the upper side of the drill-room a street, running right back from the front street to another corner, and on that corner is Davis Lepfield's ?—A. Yes, sir.

Q. Then between Davis Lepfield's house and the drill-room there is another house ?—A. Yes, sir.

Q. Whose is that ?—A. Louis Schiller's ; facing the street running back from the front street.

By Mr. CAMERON :

Q. How long did you remain at Lepfield's at that time ?—A. I don't recollect ; but I reckon I remained there half an hour.

Q. Where did you go from there ?—A. I went back from there to the bank-building.

Q. How long did you stay at the bank-building ?—A. Until I started home.

Q. How long did you stay ?—A. I suppose I staid there an hour and a half.

Q. Was there any firing going on while you were there—at that time ?—A. I don't recollect whether there was or not ; the cannon fired while I was at Lepfield's corner.

Q. I am trying to ascertain whether or not there was any firing after you went to the bank-building from Lepfield's ?—A. I didn't hear any ; I heard some firing after I got most home ; I was up in the field two miles from home when I heard the firing. Then I heard about twenty-five or thirty shots. Our crowd had pretty near all gone then. We left two or three hundred drunken men from Augusta there.

Q. Do you know Capt. O. N. Butler, of Augusta ?—A. I do, sir.

Q. Did you see him there on that night ?—A. I did not.

By Mr. CHRISTIANCY :

Q. You say you took a warrant out for this Dave Phillips ?—A. My father took it out.

Q. At what time was it ; before the 8th of July or after ?—A. Before the 8th of July. They said it wa'n't worth a ten-dollar note.

Q. They said what was not worth a ten-dollar note?—A. The security.

Q. Where was that taken from; what justice?—A. Rivers.

Q. Did you ever have any trial of that?—A. No, sir.

Q. They said his security for what, then; for his appearance at that court?—A. For him to keep the peace.

Q. Do you remember the date when the warrant was taken?—A. On the 6th of July, if I ain't mistaken; I think, though, as near as I can recollect, it was on the 6th of July. I won't be positive, but to the best of my belief it was on the 6th of July.

Q. Were you down in Hamburg on the next day, on Sunday?—A. The next day was Friday.

Q. This shooting down there was on Saturday night?—A. Yes, sir.

Q. Were you down town next day?—A. I was.

Q. What time in the day did you get there; in the morning?—A. I didn't get there in the morning.

Q. Well, when did you get there?—A. I got there about two or three o'clock in the evening.

Q. Did you see any dead colored people there?—A. I did not.

Q. You did not hear of any?—A. You told me not to state what I heard.

Q. Did you hear the white people say anything about there being dead colored people there?—A. I don't know anything about hearing; I couldn't swear to what I heard.

Q. But you can tell whether you heard of it from the white people?

Mr. MERRIMON. I object to that question as hearsay.

Mr. CAMERON. You may answer the question.

A. I heard black people say so.

Mr. CHRISTIANCY. That is not answering the question at all.

The WITNESS. What time do you mean that they said it?

Q. The next time you went there; you stated you went down there in the afternoon.—A. I went down there in the afternoon.

Q. My question was whether you did not hear from the white people that several negroes had been killed?—A. I didn't that evening.

Q. Did you before that evening or afterward?—A. I heard that morning that they was killed; it was reported about there. I don't recollect who told it. I never talked with any white people that evening at all about it, but I heard some colored people say so.

Q. You do not know whether you heard any white people say so or not?—A. I didn't hear any white people say so that evening.

Q. At any time?—A. If I did I don't recollect who it was; it was generally reported about.

Q. Did you at any time after that see any dead negroes?—A. I did not.

Q. Between the bank-building, as you call it, the corner where the bank-building is, and the corner where the drill-room is, are there any buildings on the same side of the street?—A. Two little houses there.

Q. Two little houses?—A. Yes, sir; or a double house, or whatever you may call it.

Q. How far does that stand back from the street?—A. It runs right along facing of it; comes right up to the street.

By Mr. CAMERON:

Q. Did you follow and try to catch Louis Schiller?—A. I did not.

By Mr. MERRIMON:

Q. You say that you were arrested for having committed murder there?—A. Yes, sir; that was the warrant.

Q. You are bound over to court?—A. Yes, sir.

Q. What court?—A. The county court at Aiken.

Q. Did you go to court?—A. I did.

Q. What did they do with you there?—A. The judge gave bond.

Q. The judge allowed you to give bond?—A. Yes, sir.

Q. Why did they not try you?—A. We went there for trial, and General Gary got up and asked for trial, but they wouldn't give us trial.

Q. Put it off?—A. Yes, sir.

Q. Could the negroes have deployed so as to have given you the road entirely when you were moving along that road on the 4th of July last; was there room between the road and the river for them to have marched along without going into the buggy-track?—A. There was, if they hadn't deployed out so far.

Q. Could they have marched there four, five, or six deep?—A. Certainly they could.

By Mr. CAMERON:

Q. When did you go to the Aiken court?—A. I don't recollect; it was two or three weeks or a month—some time about that time; I don't recollect the time.

Q. That is the time that General Gary got up and demanded trial?—A. No; the judge gave bail, and we went to the United States court, and Gary got up and demanded of the court—

Q. Now, I am trying to find out when that was that Gary got up and demanded trial?—A. I don't recollect when the court met.

By Mr. MERRIMON:

Q. Say whether you know or do not know?—A. I don't know when it met.

By Mr. CAMERON:

Q. How many of your friends and relations were there?

The WITNESS. Were there at the court?

Mr. CAMERON. Yes, sir.

The WITNESS. I don't know how many there were there.

Q. Were there a good many there?—A. A good many.

Q. Were you armed at the time you went to the court, when General Gary got up and demanded trial?—A. I had my pistol on.

Q. About how many white men were in the town of Aiken at that time?—A. I don't know how many.

Q. You cannot estimate the number?—A. No, sir.

Q. Do you suppose there were twenty?—A. Yes, sir.

Q. Do you suppose there were five hundred?—A. I don't reckon there was; I don't remember. There might have been five hundred in the different houses.

Q. You do not know how many of your relations were there?—A. No, sir; I don't know how many of my relations were there.

By Mr. MERRIMON:

Q. Were there any United States troops there?—A. There were.

By Mr. CHRISTIANCY:

Q. Who was prosecuting yourself and others in this case at the court? Who was the public officer who was prosecuting them?—A. I don't know who he was, the one that was prosecuting us. This 'ere Stoney, he was there acting.

Q. Stone?—A. Stone; yes, sir; he wanted to put us under bond of \$10,000, and the judge said he thought two thousand was a plenty.

Q. Two thousand each?—A. Yes, sir; we had a great many affidavits read before the court, and they said \$2,000 was a plenty.

HENRY GETZEN—AIKEN COUNTY.

COLUMBIA, S. C., *January 1, 1877.*

HENRY GETZEN sworn and examined.

By Mr. MERRIMON :

Question. What is your age?—Answer. Twenty-six years old last April.

Q. Where is your residence?—A. My residence is in Aiken County, about two miles from Hamburg.

Q. What is your business?—A. I am a farmer.

Q. To what political party do you belong?—A. I am a democrat; have always voted the democratic ticket, so far.

Q. State whether, on the 4th of July last, you were in the city of Augusta, Ga., and if you say yes, state from what point you went to that city, what time you left it, where you were going, and whether you met with any interruption on the road or street when returning from that point, and tell all about any such interruption, if there was any.—A. Well, sir, I went to Augusta, Ga., on the 4th of July.

Q. From where?—A. From my home, two miles over in Carolina, on the hill there, on the line of Hamburg, exactly, and I went over in Augusta in the evening. I don't remember the time when I went over there, exactly, and came back in the evening, rather late in the evening—not very long before sundown. It has been six months. I cannot state the time positively, because I had never taken any notice at that time what time it was; but it was very near dark, late in the evening. We had crossed the bridge and had got as far as the Carolina Railroad, and I could see a large crowd of colored people beyond the Columbia, Charlotte and Augusta Railroad trestle-work.

Q. Well?—A. There seemed to be a company there going through the form of a drill, and we drove on by at a moderate gait, not faster than a walk, I suppose about five or six miles an hour. I don't know, it was not a fast gait at all; and the negroes seen us coming and they went to the farther part of the town, up the street we had to go in order to get home; a street in the upper part of the town which is obstructed, half of the street, by a ditch; and they were in the center of the street and they marched up above the ditch.

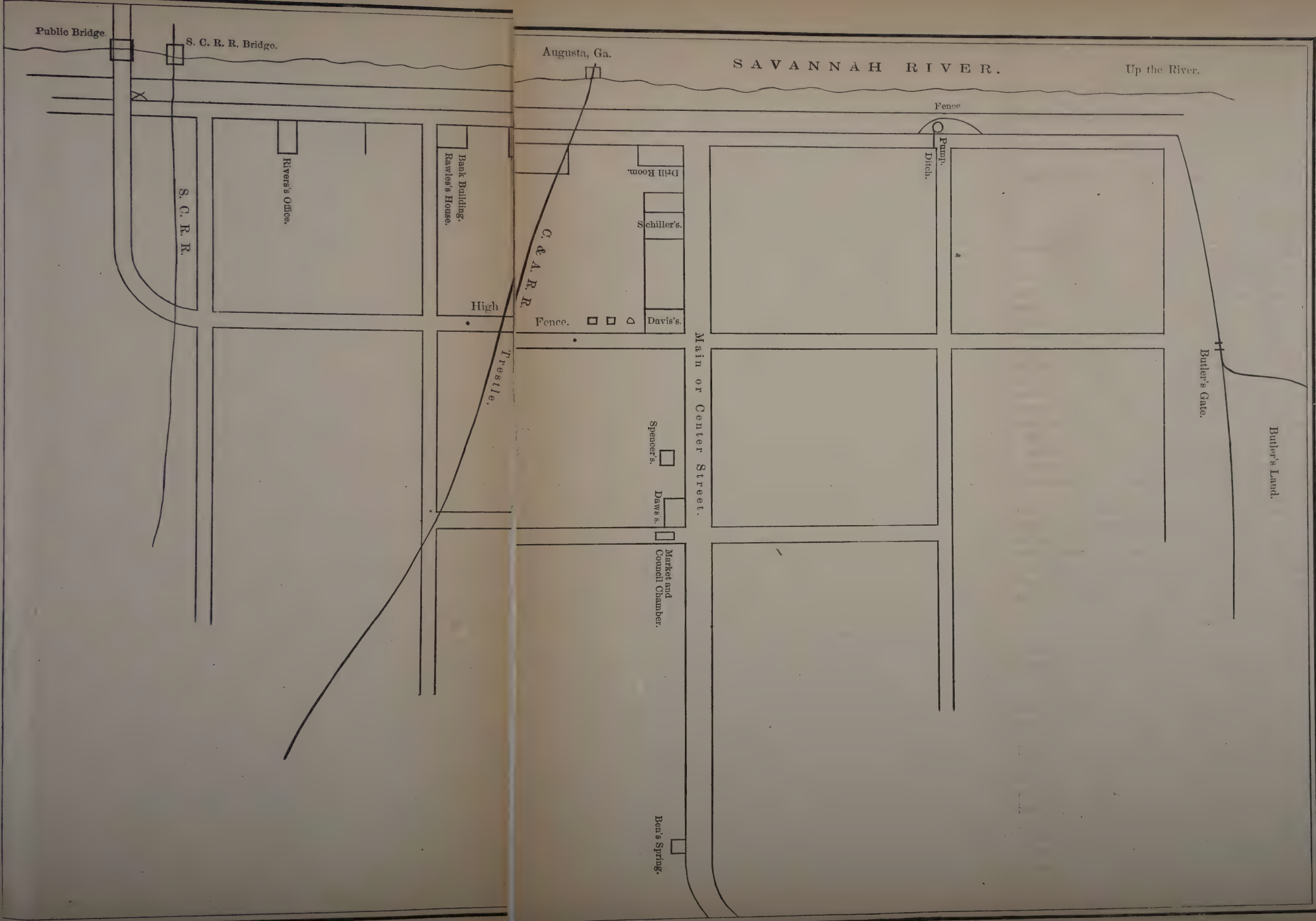
By Mr. CHRISTIANCY :

Q. Wait a moment; let me understand which street you refer to as having a ditch in it.—A. I am not very well versed in the names of the streets; I think they called that Market street. [Referring to the following diagram:]

Q. Is it the front street, running parallel with the river, in front of the town?—A. Yes, sir; I think the street is called Market street. It runs east and west, right up and down the river.

Q. That is the one you say has a ditch in the center of it?—A. There are some houses betwixt that street and the river; there is another little river-street back of that.

Q. But you spoke of the ditch?—A. Yes, sir; there is a ditch obstructing half of the street, and a well in the center of the street, and that ditch goes half-way around one block, and there is no bridge there. There used to be a bridge there, but there is none there now. They passed by that ditch and they turned; the company came back just as we got to the ditch; and we saw there was no chance to get by the



Public Bridge.

S. C. R. R. Bridge.

S. C. R. R.

Rivers's Office.

Bank Building.
Ravels's House.

High

Prestle.

C. & A. R. R.

Fence.

Augusta, Ga.

SAVANNAH RIVER.

Up the River.

Fence

Pump.
Ditch.

Butler's Gate.

Butler's Land.

Drill Room.

Schiller's.

Davis's.

Main or Center Street.

Spencer's.

Davis's.

Market and
Council Chamber.

Ben's Spring.

ditch, and they came past the well and left-obliqued a little bit; they marched to the left a little bit. They was marching, and they halted just as they got to the well, and they stopped the company right there, and I should think they was fully eight or ten feet apart.

By Mr. MERRIMON:

Q. Who were?—A. The colored men that were drilling.

Q. What do you mean by eight or ten feet apart; do you mean that the lines were eight or ten feet apart?—A. Yes, sir; they was about six or eight wide and four or five deep, back across the street; they were six or eight across in one way, and three or four back this way, [indicating.]

Q. There was a well there?—A. There was a well there.

Q. Was that about the center of the street?—A. That was very nearly exactly in the center of the street.

Q. Then they came between the well and the side of the street toward the river?—A. Yes, sir.

Q. How much of that side of the street was occupied?—A. It was all occupied, except a little place they call the sidewalk; they consider that eight or ten feet wide, and no matter whether there is a brick on it at all, if you go on that sidewalk you are arrested and fined five dollars.

Q. They occupied all the street from the well out?—A. Yes, sir; very near all of it; there may have been a small space.

Q. They were in close ranks?—A. No, sir; we could have driven between them; there was room enough, without touching one of them.

Q. Were they talking?—A. Yes, sir; we was near them, and we touched the horse up and started to go through, and they threw their guns across their shoulders in this style with their bayonets on, and that taken up the space; they had their guns lengthways across their shoulders, [indicating the gun held in a horizontal position,] and said, "You don't intend to break up our drill, do you?" or something to that effect. A boy came up with a drum and commenced beating it under our horse's head, making a tremendous fuss there; but our horse was not badly frightened though at the drum, as he was an old horse, and very gentle. I told him no, that all I asked was to pass through and go on home; that I didn't have any desire to break up the drill in any way at all. He said, "You don't intend to drive through our ranks, do you?" I said, "No; I don't intend to drive through your ranks at all; if you will let me pass, that is all I intend to do." Dock Adams says, "No, by God, you can't go through here." There was another street around back of there, which was probably three or four hundred yards out of the way; but this was a lower street, toward the river, and the river had risen, and the ditch had not been cleaned out since, and there was brickbats and mud all in that street, and we don't like to go on that street. It was not the street we traveled on anyway.

Q. Was the street on which you met this company of men drilling, the usual street you traveled on?—A. It was the street we always traveled back and forth to and from the market, and sometimes as many as six or seven wagons goes through it a day to market. He said, "No, by God, he would stay there all night first, we had to go back." A good many of the company began to grumble at us, and said they would rather stay there all night than we should pass by, &c.; and everything got in such a confusion, and nearly all of them got to damning and cursing and going on; and I suppose we waited there ten or fifteen minutes. A little sprinkle of rain came up about that time;

they had their guns cleaned up, and Dock Adams said, "By God, if it didn't rain we would keep you here all night, but it is raining and I will give it up." He gave us the little path that was in the center of the street, that was clear of grass and weeds, where the wagons pass, and that little path we did not go out of it at all.

Q. That is where the wagons and carriages go?—A. Yes, sir; always pass; and the United States soldiers drilled their company there every day, on the grass to one side of this carriage-way, and we passed and repassed them and were not obstructed in any way or form. If they met us they right-obliqued or left-obliqued and let us pass, and we had no trouble. Before they passed and broke up they cursed and went on in a tremendous riot, and said be God damned if they did not stay there all night if we didn't go back around. Every one was talking, and I could not comprehend all they did say. I do not know who it was said it. This nigger Attaway, a colored man, he was worse than Adams was, a great deal, and Adams made two or three attempts to try and quiet his company, and he told them to hush up and he would arrange this thing, and he had no power whatever to control them, or didn't seem to have; they paid no attention to him in the least. After we had passed by, the town marshal ran on behind us and said he was going to arrest us, and said whenever we went down to Hamburg they intended to arrest us. We went on about two or three hundred yards, where Mr. Butler generally stays during the day to attend to his business; it is about two miles from his home. I told him what had occurred, and he said he intended to go down and see Rivers.

Q. What happened that day after that transaction? State whether any legal proceeding was taken, and, if you say yes, where it was taken and what it was.—A. Yes, sir; there was legal proceedings. Mr. Robert Butler took legal proceedings.

Q. Who is he?—A. My father-in-law.

Q. State where he lives.—A. About half a mile from me.

Q. Where do you live—how far from Hamburg?—A. We are on the boundary-line of Hamburg; it is two miles from the bridge.

Q. Does your father-in-law's place lie up the river?—A. Yes, sir; he owns to the Hamburg line.

Q. Then you went to the house near where your father-in-law, Mr. Robert Butler, lives?—A. Yes, sir.

Q. What happened the next day?—A. Mr. Robert Butler saw Rivers and told him what had happened.

Q. What time in the morning did he leave home?—A. I think it was, as near as I can remember, between eight and nine o'clock in the morning, after breakfast hours; I don't remember the exact time.

Q. Who went down there?—A. Mr. Robert Butler, Harrison Butler, Tommy Butler, and myself.

Q. Where did you go?—A. To Prince R. Rivers, a trial-justice of Aiken County at that time.

Q. What did you do there?—A. He stated the case to him, what had happened; and told him if such delay as that was allowed to his market-wagons, &c., it would be injurious to his property; that he sent a great deal of his fruit, vegetables, and melons to the north and west, and they had to get over to the market by a certain time, and if they didn't they would be left, and would spoil. He didn't think they had a right to be stopped on the highway in that way; and Rivers, after hearing the explanation, &c., said he did not think it was right, either. Then we went with him down to his office, and, if I am not mistaken, he then promised that he would have the matter investigated—there was

no arrests or warrants taken out at all—and that he would see that we should not be disturbed or interfered with any more.

Q. There was no warrant taken out?—A. No, sir; no warrant taken out at that time.

Q. Did your father-in-law speak to Rivers in your presence of the obstruction?—A. He did, sir.

Q. Did he complain that you and his son had been obstructed the day before?—A. He complained that his son had been attacked the day before, and taken out a peace-warrant for one of the parties that had threatened his life.

Q. A member of that company?—A. Yes, sir; a member of that company. He taken out a peace-warrant the next morning. He told Rivers he wanted to take out a peace-warrant, and the next morning, which was on the 6th, while he was at that business, he took out a peace-warrant. I know he taken out a peace-warrant.

By Mr. CHRISTIANCY :

Q. Against whom?—A. Dave Phillips.

By Mr. MERRIMON :

Q. Did he complain that his road had been obstructed?—A. He did, sir.

Q. Anything said about obstructing his wagons?—A. He didn't say they had obstructed his wagons, except myself and his son.

Q. What did he allege as the cause of his complaint to Rivers?—A. That if they continued to obstruct our wagons or buggies, it would be injurious to the marketing of his crops; that they might obstruct the wagons and delay the marketing of his fruit.

Q. Then Rivers did not issue any warrant on the 6th of July?—A. No, sir; he never issued no warrant then.

Q. When did he issue the warrant?—A. I don't know that there was ever a warrant issued to my knowledge.

Q. What happened after that date, then?—A. They went down on the 6th.

Q. Who went down?—A. Mr. Robert Butler, Tommy Butler, Harrison Butler, myself, Dr. H. A. Shaw, and Rev. Mr. Mealing came down to Hamburg—they live six or eight miles above that place—to stand my bail, for I was arrested. That was on the 6th of July, I think.

Q. What were you arrested for?—A. I heard that the negroes were making threats that they intended to have me arrested for interfering with the drill. I only know that from mere rumor.

Q. Sate what you did when you got there on the 6th. Where did you go?—A. Went to Rivers's office.

Q. What happened?—A. They put me up as a witness before Prince Rivers, to state what I knew concerning the affair. After that they put Dock Adams up, and cross questioned him. Dock Adams got up and commenced to cross-question me in a very insulting manner, and used very bad language, &c., in the court-room. Rivers told him if he could not address me in a more gentlemanly manner to sit down, and he sat down. He says, "Now, if you think you can address the court in a more decent manner, you may go on;" and he said he could, and got up and commenced the same abuse, using the same bad language; and Rivers had him arrested for contempt of court, and continued the case until Saturday; that was the time he was arrested.

Q. Who else was there at that time along with Dock Adams?—A. Allen Attaway, and, if I am not mistaken—I would not swear to it positively—but to the best of my knowledge Sparnick was there, judge of

probate. He was there at the formation of the court. I do not know whether he was in the room at that time or not.

Q. State whether there was any hostile demonstrations on the part of anybody else besides Adams.—A. After Adams was arrested, Attaway got right up at his side there and went out and said, "The God damned white-livered son of a bitch," speaking about Rivers right in his court as he went out, murmuring to himself, and saying that he had showed prejudice in that case, and "be damned if he didn't wade in blood up to his"— I don't know what you call them. He would wade in blood. Any way, he made some remark about blood being shed before his captain should be arrested. I don't remember the words he used, but he went out murmuring to himself.

By Mr. CAMERON :

Q. If you don't remember what he said, don't pretend to state what he said.—A. No, sir; I am not going to state anything I didn't hear.

By Mr. MERRIMON :

Q. What did the trial-justice do then?—A. He continued the case till Saturday. There were a lot of negro women around the place, and there was a good many of them standing around there, and they said to the negro men to shoot them down and cut their throats.

Q. Did you hear that?—A. I did, sir, as I walked out of the door. I was standing at the door at the time, and two or three gentlemen were with me.

Q. Who were they?—A. Dr. H. A. Shaw, Rev. J. P. Mealing. One was standing a little distance from the other. I don't remember the distance, but they were outside of the door.

Q. They were negro women that made this remark?—A. I know their faces, but I don't know any of the names at all.

Q. The trial-justice adjourned the case over to what time?—A. Until Saturday, the 8th of July, I think, to the best of my recollection.

Q. At what time on the 8th, if any time fixed for the trial?—A. Four o'clock. Mr. Robert Butler objected to that hour, and said that that was too late; that he would rather have some other hour; that there was a crowd of colored people on the street on Saturday; and why didn't he put it at ten o'clock, or some other time that the court generally met, instead of so late. Rivers said he would be busy on his farm that day, and it would be all the time he had to spare.

Q. Was anything further done that day?—A. We went on home after that, and nothing further was done, to my knowledge.

Q. State whether you employed counsel; and, if you did, state whom you employed and under what circumstances.—A. Mr. Robert Butler saw a gentleman, Mr. Thomas Shaw, in the evening, and Mr. Shaw told him that he was going to Edgefield Court-House next evening to see General Butler and some other gentleman there on business—I don't know who it was—and Mr. Butler said, "I wish you would tell General Butler that if he will come down and advocate my case for me I will give him \$25; and if it is possible for him to come down, to come down," and he would pay him for his services, and he mentioned the sum of \$25.

Q. What happened on the 8th?—A. As near as I can remember, I think it was about one or two o'clock, I was sitting in my front door, and General Butler came along in the road, in his buggy. I didn't recognize him, and he stopped at my gate and hollered to me to come out there; and I went out, and he asked me what did Robert Butler want with him, and I explained the case to him to the best of my knowledge; and he asked me where Mr. Butler was, and I told him he was over at

his house or down at the brick-yard where his business was, and he said to tell him to be there at four o'clock.

Mr. CAMERON. You need not relate your conversation with General Butler.

Q. [By Mr. MERRIMON:] State whether he passed by your house and where he went.—A. He passed by my house and stated that he intended to go to Augusta.

Q. He passed your house?—A. He did, sir.

Q. Where did you see him the next time?—A. I saw him at Damm's store, in Hamburg; I met him there.

Q. Who else?—A. Tommy Butler, and no one else at that time.

Q. Where did you see them next?—A. At their place of business on the brick-yard place.

Q. What did you do then?—A. We all went down together to Damm's store; he told us to meet him there, General Butler did.

Q. Did you see General Butler there?—A. He was at Damm's store when I got there.

Q. What time was that in the evening?—A. Somewhere near two o'clock. I do not know exactly, but it was somewhere about that time, as well as I can remember.

Q. How did you go there?—A. I went there on horseback.

Q. How did the Butlers go?—A. Robert Butler went in his buggy, and Tommy Butler went with him.

Q. Did you have arms?—A. I had a carbine, and Tommy Butler had a carbine.

Q. Did the old man have any arms?—A. I suppose they all had pistols; I didn't see none.

Q. How many arms did they have in the buggy?—A. Tommy had his rifle in the buggy, and I had my rifle on my horse; those were all the guns I saw.

Q. When you got to Damm's store, whom did you see there?—A. I saw General Butler there, and Tommy Butler.

Q. That was about 2 o'clock, you say?—A. Somewheres about that time; somewheres near that time.

Q. What happened then?—A. Well, General Butler and Mr. Robert Butler had a conversation. I did not hear the conversation. General Butler asked me to ride up to the corner and see Mr. Sparnick, and I went up and told Mr. Sparnick that General Butler wanted to see him, and he went, and he and General Butler had a consultation together; and as he was going out of the door he said, "Well, general—"

Mr. CAMERON. You need not state that.

Q. [By Mr. MERRIMON:] Did you see Dock Adams?—A. I didn't see Dock Adams at all at that time.

Q. Did you see any other negroes of that company at that time?—A. I saw negroes going back and forth with guns on their shoulders in the street, but I didn't recognize them; they were at a little distance from me; they seemed to be congregated around the drill-room, around the Sibly building.

Q. Where did you go then, at 4 o'clock, the time fixed for trial?—A. I went to Rivers's office.

Q. Who went with you?—A. General Butler, and Robert Butler, and Tommy Butler, and I think Harrison Butler; there might have been one or two more white men, but I don't think there was; I don't know whether there were any more or not. I can't remember of any more going there.

Q. What was done there?—A. Well, court was called, and Rivers's

constable went out and said, "All that have any business in this court, come in," and he walked in, and Rivers inquired for Adams, and Adams was not there, and he ordered his constable to go out and give three cries for Dock Adams, and he went out and called "Dock Adams," but Dock Adams didn't come.

Q. What did General Butler do there?—A. General Butler got up and asked Rivers in what line he intended to investigate or try that case; whether he was going to try it by civil or military authority, and Rivers said he had not decided in what line he would try it; and Mr. Sparnick came in after that and said something to Rivers, and the court adjourned. I don't exactly understand how it was; but it broke up in confusion. I do not know why it adjourned.

Q. Did the trial take place?—A. It did not, sir.

Q. Pending that time did you see any negroes around there?—A. I saw negroes in the street.

Q. How many?—A. I could not tell you, sir; six, eight, or ten, probably; but there may have been more than that, perhaps; and there was a crowd of fifteen or twenty around the Sibly building—the drill-room.

Q. How many white men were there?—A. There was, I suppose, probably eight or ten at the trial at four o'clock.

Q. They had no trial?—A. They had no trial.

Q. What further happened in the course of the evening? Give the committee to understand it as you saw it.—A. Well, I staid around the court-room there until about five o'clock, or somewhere about that time. I don't know what time it was; but about that time a crowd of white men came in from the country there with about sixty or seventy.

Q. What time was that?—A. About five o'clock, I think; but I would not be positive. It was after our trial was over, an hour or two, I think.

Q. What did they come there for?—A. I have no idea what was their business there. I understand that they had had a club meeting up on the hill.

Q. Just state, if you know, what they were there for.—A. I do not know what they were there for, only what they told me themselves.

Q. What happened in the course of the evening? Just give a narrative of what you saw.—A. Very near dark a gun was fired from somewhere or another; from the sound it seemed like it come from the Sibly building, but I could not say where it came from, and after that there was a confusion there in town, and a crowd of men came from Augusta over there; I staid there, going back and forward, till about twelve o'clock, and there was such a crowd of Georgians over there and such rowdies—

Q. Well, did a fight take place there?—A. Yes, sir.

Q. Now describe as nearly as you can between whom it took place—who were the contending parties?—A. The whites and blacks; the blacks from out of the drill-room and the whites from out of the streets in general in one place and another.

Q. Where were the whites standing?—A. All about in the streets and one place and another and by the bank, close by the Sibly building, and everywhere in different parts of the town.

Q. Where were the negroes?—A. They seemed to be all in the Sibly building.

Q. How many were engaged?—A. I could not tell you. I was not there.

Q. Could you not give an idea?—A. No; I could tell only what I heard.

Q. Did they fight?—A. O yes, sir; there was fighting and shooting at each other.

Q. Tell whether there was a great many guns fired?—A. Yes, sir; there were a great many guns fired.

Q. On which side?—A. By the whites and blacks, both.

Q. Anybody hurt?—A. A white man killed and two negroes before I left.

Q. At what time did you leave?—A. I reckon it was about twelve o'clock.

Q. Where did you go?—A. I went to my home on the hill.

Q. Who went with you?—A. I went with a large crowd of men from the country in general; they all went out about that time; I don't know whether all of them went about that time, but I suppose a majority of them did.

Q. How long did the negroes stay in the Sibly building, as you call it?—A. I have no idea. They staid in there from about dark, and they seemed to be going out about ten or eleven o'clock. The thing began to quiet off about ten or eleven o'clock. It may have been sooner than that; I had no way of ascertaining.

Q. Did you see negroes go out?—A. No, sir; I didn't see the niggers go out.

Q. How they got out, or when, you do not know?—A. Of course I do not know anything about it.

Q. Did you see any dead white man?—A. I did.

Q. What was his name?—A. Mackey Merriweather.

Q. Where was he killed; at what point?—A. I understood he was killed down under the bridge. I did not see him killed. I saw them carrying him to Augusta.

Q. Did you see any black men killed?—A. I saw Jim Cook and one other; I did not know what his name was. I saw them after they were killed; I didn't see them killed.

Q. Where were they killed?—A. One, I think, was killed in Mercer street, this side of the trestle of the Charlotte, Columbia and Augusta Railroad; the other one was killed just the other side of the trestle.

Q. Do you know any other fact about that matter that you have not told us?—A. I do not think I can remember of any right now.

Q. Were you arrested for your participation in that disturbance?—A. At that time I was arrested and put under bonds of \$4,000.

Q. Who arrested you?—A. Sheriff Jordan.

Q. Where did he take you to?—A. To Aiken.

Q. Before whom?—A. Judge Maher.

Q. Did he have any investigation of the matter?—A. He did, sir. They heard affidavits on both sides; I don't know how many of them.

Q. He held you to bail?—A. Yes, sir; he let us go on bail for \$4,000 for our appearance at court.

Q. State whether you appeared at court.—A. I appeared at court at the last session. I have forgotten exactly what month. I appeared before Judge Wiggin.

Q. What was done there?—A. I do not know. The trial was postponed on some account; I do not know what.

Q. They bound you over again?—A. They let the same papers remain as they were, and we all went home.

Q. State whether you had any political motive in your connection with this transaction, in any way.—A. None whatever, sir. There was no politics connected with it whatever, sir. I never belonged to no club nor any company at that time.

Q. Do you know whether anybody else was moved by political considerations to attack the negroes there, or to have any disturbance with

the negroes?—A. No, sir; I do not know of anything. I do not know but other people knew that, of course. I never heard anything of the kind in no shape or form.

Q. Did you ever threaten a negro, or use any threats toward him, for the purpose of inducing him to vote the democratic ticket?—A. I never did in my life.

Q. Do you know of any who did?—A. No, sir; I know of no one that did.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Look at this diagram which I hand you, and see if it is correct so far as it shows the points mentioned there.—A. Yes, sir. I have noticed it. I think it is.

Q. What time did you go to Hamburg on the 8th of July?—A. I went there somewhere after 2 o'clock, I think; some time about that time. I can't remember the exact time.

Q. Whom did you go in company with, if with any one?—A. I went myself, all the way by myself, until I got in company with my father-in-law and my brother-in-law. I went with them. They were in Hamburg, in the upper portion of the town, at the plantation there.

Q. Were you armed?—A. I was.

Q. What arms did you have?—A. I had a carbine with me.

Q. Pistol?—A. I had a pistol, sir.

Q. More than one?—A. No, sir; only one. I had a carbine and a pistol.

Q. Was your father-in-law armed?—A. I did not see any arms at all. There might have been arms in his buggy. I do not remember of seeing any. His son had a rifle in the buggy with him, as I said before, and they might have had side-arms. I do not know whether they had or not. They probably had them.

Q. What time after the shooting commenced?—A. Well, sir, it was betwixt sundown and dark—about dusk, I suppose. I do not know what hour.

Q. Where were you when you had the first shooting?—A. I was somewhere near Rivers's office. At that time there was a crowd of men had come in.

Q. Near Rivers's office?—A. Yes, sir; near Rivers's office.

Q. Could you distinguish, by the report of the gun, what sort of a gun it was fired?—A. Well, I could not say what sort of gun it was fired. It was a quick, sharp report like a rifle. I would not say, though, on my oath, that it was a rifle, because I do not know.

Q. Where did you go then?—A. I was about in town, in one place and another; sometimes in one place and sometimes in another, in different parts, down in the street. I went in no house at all.

Q. Who were with you at the time you heard the first gun fired?—A. Well, I do not know particularly; there was a great crowd around there.

Q. Tell us what you mean by a great crowd.—A. I suppose fifteen, or twenty, or twenty-five men.

Q. Do you call fifteen, or twenty, or twenty-five men a great crowd?—A. I think it a right smart of a crowd; there was about sixty or seventy white men came in from the country; they were round about in squads, a right smart crowd of men for a little town like that.

Q. Can you give the names of any of these men?—A. I cannot give the names of all the men that were there.

Q. Well, give the names of all you know.—A. I do not know of any

that were particularly in speaking distance of me at the time; they were all around everywhere, in confusion.

Q. Give the names.—A. Glover.

Q. What was his first name?—A. Charles Glover; and Lannahan.

Q. Give his first name also, if you can.—A. Jake Lannahan.

Q. How far does Glover reside from Hamburg?—A. I suppose some fourteen miles from Hamburg, more or less.

Q. How far does Lannahan reside from Hamburg?—A. About the same distance—the same neighborhood.

Q. Well, give the names of any other.—A. J. C. Hammond and Henry Hammond.

Q. How far did they reside?—A. About a mile and a half from the line, and four miles from the town down to where the buildings are from where they live. S. A. Ranson, Henry Twiggs, George Twiggs, and Johnny Twiggs.

Q. How far does Ranson reside from Hamburg?—A. Three miles from the bridge.

Q. How far do the Twiggses reside from Hamburg?—A. They live on the Edgefield road four miles from the bridge.

Q. Well, go on.—A. Pierce Butler and John Butler and his brother, E. Butler; they live about six miles.

Q. Who else?—A. I don't remember any other at that time in there.

Q. You may give the name of any one whose name you can remember, who was there during the evening at any time.—A. Well, at night there was a great crowd of men over from Augusta that I did not know anything about.

Q. Then you can't give the names of any of those?—A. No.

Q. Can you give the names of any others who were there?—A. I don't remember of none right now.

Q. There were other men there that you knew?—A. Yes, sir; Mr. Robert Butler, my father-in-law, and General M. C. Butler, and Colonel A. P. Butler was there. I do not think it was at that time, but he was there during the first part of the evening.

Q. You saw him around in the street?—A. Yes, sir.

Q. How early in the evening did you see your father-in law?—A. I saw him betwixt four o'clock and dark; I do not know what time it was.

Q. Did you see him after that time?—A. I never saw him until the next morning at sun-up.

Q. Did you see General Butler during the evening?—A. I saw him several times during the evening.

Q. Where did you see him?—A. Well, in different parts of town; he was right around trying to get the men quieted. There was a great many of those Augusta fellows came over there drunk.

Q. I didn't ask you what he was doing, but where you saw him.—A. I saw him there at the Hamburg Bank building, what they called Cook street; and I saw him betwixt there and the bridge once in the first part of the night, and I saw him there on the Main street. There was a house set afire there, and he went around and had it put out.

Q. Where did you last see him at any time during the night?—A. I last seen him about ten o'clock at night.

Q. Where?—A. On Center street was the last I seen of him.

Q. Whereabouts on Center street was it?—A. It was near Davis Lepfield's corner.

Q. Where did you last see A. P. Butler that night?—A. I only saw A. P. Butler but once that night.

Q. Where was that?—A. That was during the first part of the night.

Q. Well, I ask you again where it was?—A. He was there with the crowd of men in Cook street, I think is the name of the street, but I am not positive about the name. [Points out the street on the diagram.] I know it by that name.

Q. Do you know Butler Edwards?—A. I know him when I see him.

Q. Did you see him that night?—A. No; I don't think I saw him during the night at all.

Q. Do you swear you did not see him during the night?—A. I will swear I did not recognize him if I saw him.

Q. Do you know Willis Redrick?—A. I do not know him only by character. I do not know him by sight. I have heard of him.

Q. Do you know Neal Benson?—A. I know him when I see him.

Q. Well, do you know him?—A. Yes, sir; I do.

Q. Did you see him on that night?—A. I didn't see him on that night at all.

Q. Do you know George Benson, his brother?—A. I do.

Q. Did you see him that night?—A. I didn't recognize him if I did.

Q. Did you know Pompey Curry?—A. I did.

Q. Did you see him?—A. I saw him once that night.

Q. Where did you see him?—A. I saw Pompey Curry when some men had him arrested and was carrying him to where a crowd of persons was.

Q. Where were you then?—A. I was walking along the street by——

By Mr. CHRISTIANCY:

Q. What street and where?—A. The main street; I don't know the name of it, but the main street next to the river; I think it is called Market street.

Q. The one that runs along parallel with the river?—A. Yes, sir.

By Mr. CAMERON:

Q. Where was the crowd of persons you speak of, in front of Rivers's office?—A. Right in there [indicating on diagram] I met Pompey Curry. The men who had him were mainly strangers to me; they had him going down to the bank where the persons were, near Rivers's office.

Q. How many men appeared to have him in charge?—A. There were several men around him, sir.

Q. How many do you call several?—A. Four or five or six; there might have been more around him—a crowd around him.

Q. Were the men armed who appeared to have him in charge?—A. Some of them were armed that I could see, and others I didn't see no arms.

Q. Give the name of any one who appeared to have him in charge.—A. I do not know the name of any one that had charge of him.

By Mr. CHRISTIANCY:

Q. Were they white men or black men?—A. They were white men, sir.

By Mr. CAMERON:

Q. Do you know John Freyer?—A. No, sir; I do not know him. I have heard of him in Hamburgh, but I have not seen him to know him.

Q. Did you know this man Attaway?—A. I did, sir.

Q. How long had you known him?—A. I have been living there about six years, and have been knowing him off and on ever since I have been there. I was—I couldn't say positively, how long.

Q. Did you see him on the evening of the night of the riot?—A. I saw him in the evening after the firing commenced at the drill-room.

Q. Did you see him after he was arrested?—A. No, sir; I did not see him after he was arrested.

Q. I ask you if, after he was arrested, he did not call to you and say this, "Mr. Getzen, do what you can for me;" and that you answered him, "God damn you, I will do what I can for you directly; I know you?"—A. No, sir; I didn't say anything like that at all; I never saw him at all, and never had no conversation with him.

Q. Did you see James Cook that evening or night?—A. I saw Jim Cook just as I was going out home. There was a body that they said it was Jim Cook's; I didn't notice it, sir; I didn't recognize it to be him. They said it was Jim Cook's, but I didn't stop to see.

Q. Where was the body lying?—A. This side of the trestle, on a back street.

Q. Were you on horseback or afoot on the evening and night of the 8th of July?—A. I was on horseback part of the time and afoot part of the time.

Q. Did you, early in the evening, before the fire commenced, request any one that the women and children should be got out of the way?—A. I did not.

Q. Did you know Augustus Robertson?—A. Yes, sir; I know a negro by that name.

Q. How long have you known him?—A. Well, I could not say; two or three years—a good while.

Q. Did you see him on the 8th of July last?—A. I saw him in the day. I saw him, I suppose, about three o'clock or four. I saw him passing about in the streets. I didn't have any conversation with him.

Q. Who went home with you?—A. I went home with a large crowd of Edgefield and Aiken boys in general. Some of them I have given the names to you.

Q. How many were in the crowd with you when you went home?—A. Twenty-five or thirty, I suppose—forty, probably, when I went home—a pretty big crowd.

Q. Who suggested that you should all go home?—A. Well, I don't know, sir, who suggested anything of the kind. I could not state.

Q. How did you all happen to go in company?—A. I do not know; I could not say. I heard some of the boys say, I believe, "I am going home; these fellows from Augusta are over here kicking up wild, and I don't sanction the way they are going on; let's go;" and we got up a crowd in that style.

Q. What time did you leave Hamburgh that night?—A. I left some time before twelve o'clock; I heard the clock strike twelve after I had got out about three-quarters of a mile from town.

Q. Did you leave at about the time Tommy Butler left?—A. Tommy Butler did not go out with me. I do not know what time he left; I did not see him.

Q. Did Robert J. Butler go out with you?—A. No, sir; he did not. I went by another road; they went through the plantation, and I went the main road.

Q. Did General Butler go with you?—A. No, sir; he went with Robert and Tommy Butler, and I did not see him.

Q. When have you talked with General Butler about this Hamburgh business?—A. I have talked with him about it several times to-day, yesterday, and day before, and almost every time that I saw him.

Q. When have you talked with Robert Butler, your father-in-law, about it?—A. I have talked with him frequently about it.

Q. When have you talked with Tommy Butler about it?—A. I have

talked to him in the same way, just whenever the matter came to my mind, and we were together, we talked over it.

Q. You have talked over it a good deal?—A. We have right smart of late, and at first when it happened; afterward we didn't say much about it for a long time, and of course when it is on our brain we talk about it, and when it ain't we don't.

Q. What are you accused of in connection with the Hamburg riot?—A. Well, sir, I don't know exactly what I'm accused of.

Q. You are accused of murder, are you not?—A. I think I am accused of murder; I have forgotten now what the charges are against me; I think it was murder. I think willful murder, if I'm not mistaken.

Q. Did you fire off your carbine at any time during the night?—A. I did, sir.

Q. How many times?—A. I could not tell you; several times; five or six times, probably.

Q. What did you fire at?—A. I fired at the negroes that shot at me from the building. I shot at them in the building.

Q. Where were you standing when you fired at the building?—A. At different places. I don't remember now what particular place I was in; sometimes I was in one place, and sometimes I was in another.

Q. Did you try to get in position where you could get the best shot at them; was that your idea?—A. Whenever I shot of course I tried to shoot to the best advantage.

Q. Was your gun a sixteen or eighteen shooter?—A. No, sir; it was neither one.

Q. What was it?—A. It shot just as often as any one else's gun, if you loaded it.

By Mr. CHRISTIANCY:

Q. What kind of a gun was it?—A. A Winchester rifle.

By Mr. CAMERON:

Q. How late in the night did you last fire at the armory building?—A. I could not say, sir; I suppose about eight or ten o'clock. I could not say; it was some time in the night, between eight o'clock and ten. I fired at it until the negroes commenced evacuating it, and of course I didn't fire at the building any longer; everything was in confusion.

Q. What time did the negroes evacuate?—A. I could not say positively to save my life. They evacuated about 12 o'clock, but I could not say at what hour. I do not remember and could not tell really when they did come out.

Q. Then you do not know whether they evacuated it or not?—A. I do not know whether they went out at all only from what I heard, of my own personal knowledge. I could not swear what time they evacuated it.

Q. Where were you when the cannon-shots were fired?—A. I was in Hamburg.

Q. Where was the cannon placed?—A. Somewhere about the Sibby building. I did not see it when it was fired.

Q. You did not see the cannon at all?—A. I did not, sir. I heard the report of the cannon.

A. How far were you from the cannon when it was fired?—A. There was a block between me and the cannon, I suppose, sir.

Q. Are you well acquainted in Augusta?—A. Pretty well acquainted.

Q. Did you know any of the men who were in Hamburg that night, who reside in Augusta?—A. I knowed a good many of the men there.

Q. Give us the names of the men.—A. I did not see a great many

of them ; I saw Mr. Thomas Carwyle, and Captain Conway, I think his name is, and Dunbar, I don't know his other name ; there were a great many of them there whom I knew by their last name that I didn't know by their given names, Clark, Metheney, and others ; I can't call their names out.

Q. What time did these Edgefield and Aiken County men, whom you say went home at the time you did, get into Hamburg that day ?—A. Well, sir, I could not say ; it was about nearly five o'clock, I think, to the best of my knowledge. I would not say that positively, because I do not know. We went around about 4 o'clock to the office, and they were not there then, and about half an hour after we left that place they came in ; they arrived somewhere about 5 o'clock.

Q. Did you see them when they came in ?—A. I saw part of them.

Q. Whom did you see come in ?—A. I have mentioned their names to you as well as I can recollect.

Q. You say all these whose names you have mentioned went home with you ?—A. Yes, sir.

Q. Did they go at the same time you did ?—A. Yes, sir ; I think we went out to the best of my knowledge ; it was dark and we were going on talking together, and I could not tell you who went out and who didn't.

Q. Were they armed ?—A. I suppose they had on their side-arms.

Q. Did they have any guns ?—A. I saw one or two men who had guns ; no more.

Q. Do you remember their names ?—A. No, sir ; I didn't notice particularly who it was.

Q. Where were you during the Ellenton riot ?—A. I went there once during the riot.

Q. At whose request did you go there ?—A. At my own request I went there.

Q. What day did you go there ?—A. I disremember what day it was, I think it was Tuesday, to the best of my knowledge. I would not swear, though, that it was.

Q. What time did you arrive at Ellenton, or Rouse's Bridge, or any of these localities ?—A. About dark on Tuesday ; on the night of the day I started.

Q. About dark on Tuesday ?—A. I think it was Tuesday, as far as I can remember ; I think that was the day.

Q. Where were you when the Federal soldiers arrived ?—A. I came by them after they arrived.

Q. Did you arrive at Rouse's Bridge before the soldiers got there ?—A. I do not know whether I did or not ; I came down to Rouse's Bridge and crossed over ; when I got over the soldiers were on the other side of Rouse's Bridge. I could not tell how long they had been there.

Q. Who went with you to Ellenton at that time ?—A. I went there with some Augusta boys. I started from home by myself, and there were two or three met me along the road ; I do not remember now what their names were. I was not very well acquainted with them anyway ; I only saw—

Q. Were they armed ?—A. The best part of them were armed.

By Mr. CHRISTIANCY :

Q. You know where the bank-building is situated, and you know where the drill-room is ?—A. Yes, sir.

Q. Were they both on the same side of that street which fronts the river ?—A. Yes, sir ; one on one corner of the square and the other on the other, fronting that street.

Q. What house is there between the two ?—A. The railroad runs be-

tween there, and there have been several houses moved, and there is one little wooden house, now occupied by colored people; I do not know what it is called.

Q. Where is that?—A. The eaves of it run down under the trestle.

Q. Was there not a house between the drill-room and Davis Lipfield's?—A. Yes, sir, there is a whole block of houses there, Louis Schiller's and some others.

By Mr. CAMERON:

Q. Did you know Hampton Stevens?—A. No, sir; I never saw him to know him in my life.

Q. Did you know Moses Parks?—A. No, sir; I did not know him, but I have heard of him.

Q. Did you know Albert Minyard?—A. I think I have seen him, but I have no personal acquaintance with him.

Q. Did you see him on the evening or the night of the eighth?—A. If I did I didn't recognize him.

Q. Did you see any persons arrested, except the ones whose names you have mentioned?—A. I saw a crowd of persons, but I did not recognize them; they were standing back a little space from me; they was not front of Prince Rivers's house; there was a crowd of 200 or 300 men standing around the prisoners.

Q. How near to these prisoners did you go?—A. I went half a block from them; half of one of the blocks, I suppose, would be fifty or seventy-five yards; I do not know; I would not say positively.

Q. At what time in the evening did you first see that crowd of prisoners?—A. That was in the night.

Q. Well, when in the night, then?—A. After they evacuated that building.

Q. You don't know whether they evacuated it.—A. They said they had evacuated it.

Q. I ask you what time in the night you saw them?—A. Nine or ten o'clock in the night—it might have been eleven; everything was in confusion, and I had no way of ascertaining the time.

Q. How many times did you see that crowd of persons during the night?—A. I only saw where it was once, I think; I don't remember any other time; I might have noticed it again, but I don't remember. I was standing there where I could see them for ten or fifteen minutes, but I do not know how many times I saw them; I could not say.

Q. How long did you remain in that street during the night?—A. Well, sometimes I was there ten or fifteen minutes, then on another street ten or fifteen minutes.

Q. What were you doing?—A. I was walking about promiscuously from one place to another; everything was in a stir; there was shooting around there, and I was doing the best I could. I got as good a chance as I could; they shot after me, and I took the best chance I could to shoot after them several times.

Q. Who shot after you?—A. They shot after me from the building.

Q. When were you shot at from the building?—A. It was during the night; I could not say what time in the night.

Q. When were you first shot at from the building?—A. Well, they commenced firing—the first was about—

Q. When were you shot at, I am asking of you now?—A. I was going to tell you, if you will just let me have a little time. I was shot at about eight o'clock, I think.

Q. Then you shot back, did you?—A. I did, sir.

Q. When were you shot at again from the building?—A. I was shot

at three or four times again from the building. I could not tell you; I don't remember the time.

Q. How long after the first shot was fired from the building before the last shot was fired from it?—A. Probably half an hour or three-quarters of an hour.

By Mr. CHRISTIANCY:

Q. How did you know they were shooting at you?—A. I could see the blaze, and I could hear the whistle of the bullet. I suppose they were after me and my crowd.

Q. There were other white men around there?—A. Yes, sir; there were.

Q. You did not know whether they were shooting at you?—A. I did not know whether they were shooting at me personally or not, sir. To the best of my knowledge, they were shooting at me as well as at any one else.

COLUMBIA, S. C., *January 1, 1877.*

HENRY GETZEN recalled.

By Mr. MERRIMON:

Question. I ask you whether you have been arrested since you have retired from this room?—Answer. A man came up and presented a warrant to me, and he had no authority with him—no United States authority; that is, a badge or anything of the kind. Yates is the name of the man.

Q. Has he a warrant?—A. Yes, sir.

Q. Did he seize you?—A. Yes, sir; he put his hand on my shoulder.

Q. What was in the warrant?—A. He had me arrested, he said, for intimidation. John Hubbard made the complaint, I believe.

Q. Does he deny you the privilege of bail?—A. Yes, sir; he denied it. I told him I would go upstairs and see a friend of mine who would go my bail, I guessed.

Q. What is the date of the warrant?—A. I did not notice the date of it.

Q. Did he release you to come back here and testify?—A. He gave the warrant to another man to arrest me. He had no authority with him.

Q. Are you under arrest now?—A. I do not know whether I am or not; I believe I am. I asked to see his authority, and he produced none. I do not know whether he has any badge or not; I cannot say.

Q. Did he show you any warrant?—A. He did.

Q. Did you read it?—A. I read part of it.

JOHN M. LEITH—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 1, 1877.*

JOHN M. LEITH sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Twenty-eight years.

Q. Your residence?—A. Abbeville County.

Q. Your business?—A. Farmer—planter.

Q. Your politics?—A. I am a democrat up there.

Q. State where you were on the day of the election.—A. At my precinct, over there, until night.

Q. What is the name of your precinct?—A. Long Cane precinct.

Q. State whether you observed any violence or any violent demonstrations toward the ballot-box or in that town after the election.—A. No, sir; everything was orderly; everybody voted as they pleased. That is what I saw.

Q. State whether you had a general opportunity or means of seeing as to the manner of conducting election.—A. Yes, sir; I had all the means of seeing it. Most of them voted in the morning, and there was a crowd in the morning, and the voting-place was inside of an old mill, and the doors was shut, and that only let in five at a time, five whites and five blacks, and everybody voted as they pleased, and afterward the doors were wide open as the crowd got smaller. There was no intimidation whatever there.

Q. Was there any display of arms, or any effort toward intimidation, toward the voters during the day?—A. No, sir.

Q. Any troops there?—A. Only a deputy marshal.

Q. If there had been any violent demonstration there would you have seen it then?—A. Yes, sir; I would.

Q. Who was the United States marshal there?—A. Mr. Blackwell.

Q. Was he there all day?—A. Yes, sir; he was there from morning till night.

Q. You were there during the whole day?—A. I was there during the whole day.

Q. If there had been any violence would you have seen it?—A. Yes, sir.

Q. Was it a large box?—A. From two hundred to two hundred and fifty, I think, voted there. I don't exactly know how many voted.

CROSS-EXAMINATION.

By Mr. CAMERON :

Q. What time did you get there in the morning?—A. I went there at six o'clock.

Q. Were you there when the poll was opened?—A. Yes, sir.

Q. What connection did you have with the election, if any?—A. Well, I assisted the clerk in counting, after the poll was closed. That was all I did about it that day.

Q. Then you had no official connection with it?—A. No, sir; that is all I did; just assisted them to count the records after the poll was closed.

Q. How many persons were at the polls during the day?—A. There were two hundred or two hundred and fifty, I think, altogether.

Q. Where was the box, inside the building or outside?—A. Inside of the building; inside, in the mill.

ROBERT E. CARROLL—AIKEN COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

ROBERT E. CARROLL sworn and examined.

By Mr. MERRIMON :

Question. What is your age?—Answer. Forty-two.

Q. What in your business?—A. Railroadng; section-master.

Q. Where do you reside?—A. In Aiken County, four miles from Hamburg.

Q. Do you remember what is commonly called the Hamburg riot,

which happened there in July last?—A. I recollect the time that it occurred.

Q. State whether on that day you saw any armed negroes, and, if so, how many, and what they said and did.—A. Late in the evening of the eighth, when I got home from work, I saw near my house a negro, coming from the direction of Hamburg, with a gun on his shoulder; he went around to the house my hands occupied, and he called them up to him, and told them that he had got orders to go to Hamburg, and to “make haste and come on.” He turned away without awaiting any answer, and went in the direction of Beech Island, and at twelve o’clock that night he returned. I was right at the cross-roads, at the crossing of the railroad, flagging a train, and there was a lot of negroes came by armed with guns.

Q. Did you hear them say anything?—A. A man halted me and asked me—he says, “Have you heard anything from this way?” pointing towards Hamburg, and I says, “Nothing; what’s the matter?” and he says, “Go on, boys; we’ll go and see?” And they left, and went in the direction of Hamburg hurriedly.

Q. Is that all you know about it?—A. That’s all, sir.

CROSS-EXAMINATION.

By Mr. CAMERON :

Q. What was the name of this negro whom you saw going in the direction of Beech Island?—A. Jim Stevens.

Q. How long had you known him at that time?—A. During that year, sir.

Q. What was his business?—A. He worked part of the time at the chalk-works, digging out chalk.

Q. Where did he reside?—A. He resided about two miles from Hamburg.

Q. Between your place and Hamburg?—Q. Yes, sir; between my place and Hamburg.

Q. How late in the evening was it when you saw him?—A. It was near night.

Q. What time?—A. I could not exactly give the hour, but it was near six o’clock; it was late in the evening.

Q. What time was it when he returned?—A. Twelve o’clock at night.

Q. Where were you?—A. My house stands right near the crossing of the Beech Island road, crossing the railroad right there, and I was at that crossing, standing on the edge of it.

Q. Had you not gone to bed that night?—A. I had not.

Q. All night?—A. I had heard some guns fired during the early part of the night, I do not know what time, and I hadn’t heard up to that time what it was.

Q. Is it a very unusual thing to hear guns fire in that vicinity?—A. Not a usual thing to hear them at late hours at night.

J. P. MEALING, RECALLED.

COLUMBIA, S. C., *January 2, 1877.*

J. P. MEALING recalled.

By Mr. MERRIMON :

Question. Do you know Louis Schiller, lately of Hamburg?—Answer. Yes, sir.

Q. How long have you known him?—A. I have known him, I suppose, about twenty years.

Q. Do you know his general character?—A. Yes, sir; I know the general reputation that he has for character.

Q. Well, what is that?—A. His general reputation for character has been bad.

Q. Bad for what?—A. Well, for almost everything dishonest and untruthful.

Q. Would you believe him on oath?—A. I could not, sir.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Whom have you heard speak of his reputation for truth?—A. Well, sir, I have heard almost everybody in the county.

Q. Name one.—A. One individual, sir—I suppose I could name you twenty. He had been an officer in the county. I have heard his own mother—

Q. What did she say about it?—A. His mother said that she could not believe one word that he said to her; that he had given her trouble enough to make her crazy, and she is partially crazy now from the effects of that boy's actions.

Q. Was she partially crazy when she told you that?—A. No, sir.

Q. She told you that before she was crazy?—A. Yes, sir.

Q. How did you know that she was partially crazy?—A. She told me so.

Q. That is your only evidence of it?—A. She told me so.

Q. She told you before she was crazy that he had troubled her enough to make her crazy?—A. Yes, sir.

Q. In what capacity did you visit her at the time that you had this conversation with her?—A. She was an acquaintance. She is German herself, and I am of German descent.

Q. Did you visit her in your spiritual capacity?—A. No, sir.

Q. Is she a member of your flock?—A. No, sir.

Q. Has she ever been?—A. No, sir.

Q. Who else have you heard speak of his reputation for truth?—A. Well, sir, I have heard it almost all over the country. I can name you different men, I suppose.

Q. Give the names.—A. I have heard Colonel Shaw.

Q. That was the gentleman who was just in here?—A. I don't know whether he has been in here or not—T. P. Shaw.

Q. When did you hear him speak of it?—A. At various intervals.

Q. Mention one.—A. He had dealings with me on one occasion as county auditor, when he was a member of the board of commissioners, and that is one time, sir, that I heard him speak of his character; and then I heard him speak of some dealings he had with negroes in his decisions as trial-justice.

Q. I ask you when you heard Mr. Shaw speak of his reputation for truth.—A. Well, sir, I have heard him—I could not give you any date at all, but I have heard him speak on several instances.

Q. Well, try and bring your mind down to the first instance when you have heard him speak of his reputation.—A. The first instance that I recall his talking about it—I don't know whether it was the first, but it was probably about three years ago.

Q. Well, what did he say about it then?—A. He spoke of the worthlessness of the man and the untruthfulness of the man.

Q. What did he say?—A. He said that he had made barefaced statements that were untrue, and could do it without any seeming remorse of conscience whatever.

Q. What occasion was there of his speaking to you about it?—A. The man was discussed generally as an officer.

Q. Was Louis Schiller a member of your congregation?—A. No, sir.

Q. Has he ever been?—A. No, sir.

Q. Have you ever tried to reform him?—A. Yes, sir.

Q. You have failed, have you?—A. Yes, sir. I can give you some of the instances in which my first efforts were made to reform him, if you desire it. The first instance in which my attention was attracted—

Q. You need not go into that. Are you a democrat?—A. I have never belonged to any political party.

Q. Have you ever voted?—A. Yes, sir.

Q. For whom did you vote at the last election?—A. I voted what is called the Hampton ticket.

Q. Did you vote for the Tilden electors?—A. Yes, sir.

Q. You are recognized as rather leaning toward the democratic party, are you not, in your neighborhood?—A. I don't know, sir, whether I should be. I have felt that in my capacity I had no right to attach myself to any party. I have voted according to my conscientiousness in the matter.

Q. Has not your conscientiousness, as a general thing, induced you to vote for the democratic party?—A. I did it because I looked upon that as an honest ticket, and my conscientiousness certainly would lead me to vote for what I considered to be the honest ticket.

Q. Has not your conscientiousness also induced you to vote for the democratic national ticket whenever you voted for the national ticket?—A. I never have voted but for one national ticket in my life.

Q. That was at the last election?—A. That was at the last election, sir.

T. P. SHAW—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

T. P. SHAW sworn and examined.

By Mr. MERRIMON:

Question. State your age, your place of residence, and your business.—Answer. I will be 49 the 10th day of this month. I was born and raised in Edgefield as a farmer.

Q. State whether at any time you carried any message from Robert J. Butler to General Butler; if so, when and under what circumstances?—A. I did, sir. I carried a message to him.

Q. When?—A. I think, sir, about the 6th or 7th of July last.

Q. Well, what message did you take?—A. A message from Robert Butler to General Butler to meet him next day at three o'clock in Hamburg to assist him in a case that was to come before a trial-justice in Hamburg.

Q. Was General Butler a lawyer?—A. He was a lawyer. He wished him to assist him as a lawyer in a case, and told me to tell him that he would give him \$25 if he would come down there and attend to the case for him.

Q. Did you deliver the message to General Butler?—A. I did.

Q. Do you know whether General Butler went or not?—A. He told me he would go if he could get a buggy; but, says he, "I cannot ride horseback." But the next day I believe he did go. I advised him to go, and told him what I had heard about so many complaints. I thought he would be an advantage to the party if he would go.

Q. Do you know a negro in Hamburgh by the name of Harry Mays?—A. I do, sir.

Q. How long have known him?—A. Well, I have known him by reputation pretty much as a neighbor. He was residing in the neighborhood there.

Q. Do you know his general character?—A. Yes, sir.

Q. What is it for truth?—A. It is very bad.

Q. Would you believe him on oath?—A. I would not.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Whom have you ever heard speak of Harry Mays's reputation for truth?—A. I have heard a good many, sir.

Q. Mention the names.—A. I have heard Stephen Mays.

Q. Is he a white man and a democrat?—A. Yes, sir; he is a white man and a democrat. I saw him on my way here. I stopped and had a conversation with him.

Q. Within a short time?—A. Yes, sir; as I was coming here. I told him I was coming here, and what I was coming for. Says I, "You know him and you raised him; what is his character?" Said he, "He is the meanest rascal I ever had anything to do with."

Q. Did he tell you anything else about him?—A. Yes, sir; he said he would not believe him on his oath.

Q. How did you happen to get talking about Harry Mays with Stephen Mays?—A. I told him I was coming here for that purpose; I was subpoenaed here.

Q. For what purpose?—A. To testify as regards his veracity; that was what they wanted me to come for.

Q. After you were subpoenaed, then you went to work to find out what his reputation was?—A. No, sir; I knew his reputation.

Q. Why did you inquire, then?—A. Because I wanted him to come with me to sustain what I said, if I would need him. He said he would come and testify.

Q. You say that after you were subpoenaed you had a talk with this Mr. Mays, and you understood that you were called here for the purpose of impeaching Harry Mays, and you went to his old master to talk about it?—A. Yes, sir.

Q. For the purpose of ascertaining what Harry Mays's reputation for truth was?—A. No, sir; not for that purpose. I wanted to know if he would come here if he was subpoenaed, and sustain what I said. He said he would; and there were some others spoke in and said, "I know him too, for I was with him in the army; he was our cook." There were two or three others around spoke of living near Hamburgh and knowing Harry Mays.

Q. Who else did you hear speak of his reputation for truth?—A. Well, I have heard a good many black people; I have heard several in the village speak of him.

Q. Give their names, if you can.—A. Mr. Felix Simkins, for one.

Q. When did you hear Felix Simkins speak of him?—A. Some time last summer.

Q. After the Hamburgh trouble?—A. I cannot say; no, sir; I think it was before. I asked them what Harry Mays was doing, and they told me.

Q. What did they say?—A. They said he was keeping a gambling-shop; that he was concerned with a band of robbers and thieves that was there in Hamburgh; they thought he was one of the party.

Q. What else did they say about him?—A. That he was a negro of bad character.

Q. What else?—A. I don't know that I could tell that they said anything—

Q. Well, who else have you heard speak of him?—A. Besides Felix Simkins?

Q. Yes.—A. I think I have heard—do you want me to say black persons?

Q. Any persons.—A. Major Pemberton, he is a very black man; I heard him speak of him.

Q. When did you hear him speak of him?—A. This fall.

Q. After the Hamburgh riot?—A. After the Hamburgh riot.

Q. What did he say about him?—A. About the same that Felix Simkins said.

Q. Well, repeat it.—A. That he was a man of bad character; that he was concerned with a band of robbers that came into the neighborhood constantly there.

Q. What else?—A. I don't know that I ever heard him say anything else, only that he was one of a party of bad character.

Q. Who else have you heard speak of him?—A. I heard a black man by the name of Currey, but I disremember his first name.

Q. What did he say about him?—A. He said he was a gambler—keeping a gambling-shop.

Q. What else?—A. That he was a man of bad character.

Q. What else?—A. I asked him if he thought he belonged to that gang of robbers. He said he did not know that himself, but he supposed he did. He says, "He never works any, but makes a living somehow."

Q. Did you understand, at the time that you were subpoenaed to come here, that you were called mainly for the purpose of impeaching Harry Mays; were you so informed?—A. Yes, sir, I was.

Q. When were you subpoenaed?—A. Last Saturday.

Q. How far have you come?—A. I live near Augusta, sir.

Q. Now, Mr. Shaw, you have sworn that you know what the reputation of that man for truth is. I have asked you to name all the persons whom you have heard speak of his reputation for truth. You have named four or five, and when I ask you to state what they said, you say that not one of them mentioned anything about his reputation for truth, but it was all something else. How do you reconcile those statements of yours, sir?—A. I had nothing to do with regard to his being a man of truth. I told you that Mr. Mays told me so, and these persons; I never talked with them about this since that.

Q. But it seems from your own statements that you don't know anything about his reputation for truth, and yet you swear by wholesale that you know what his reputation for truth is?—A. I have heard a good many speak of him.

H. A. SHAW, RECALLED.

COLUMBIA, S. C., *January 2, 1877.*

H. A. SHAW recalled.

By Mr. MERRIMON :

Question. Do you know a man in Hamburg by the name of Louis Schiller?—Answer. Yes, sir, I know him.

Q. State whether you know of his general reputation.—A. I do, sir.

Q. What is it, sir?—A. In what particular do you mean?

Q. For truth and honesty.—A. It is not good, sir.

Q. Would you believe him on oath?—A. I would not, sir, if he had any interest, or prejudice, or anything of that sort.

By Mr. CAMERON :

Q. Schiller is a republican, is he not?—A. I believe he has been connected with the republican party for a year or two, but was a democrat a few years ago; but he belongs to the radical party now, I think, or the republican party.

R. J. BUTLER, RECALLED.

COLUMBIA, S. C., *January 2, 1877.*

R. J. BUTLER recalled.

By Mr. MERRIMON :

Question. Do you know a man by the name of Louis Schiller?—Answer. He used to live there in Hamburg, and I think he is living there now.

Q. How long have you known him?—A. Ever since he was a boy.

Q. Do you know his general reputation?—A. Yes, sir.

Q. What is it?—A. It is bad.

Q. How is it for truth?—A. Well, I don't think anybody that knows him in the neighborhood would believe him.

Q. Do you know whether he is a defaulter or not?

Mr. CAMERON. I object to that.

The WITNESS. All you want me to state is the facts that I know of. I will state them.

By Mr. CAMERON :

Q. When did you last see Schiller?—A. I have not seen him since the evening of the difficulty, I think.

Q. Were you anxious to see him the next day after the difficulty?—A. I never have been anxious to see him. I never even hunted for him or looked for him.

By Mr. MERRIMON :

Q. Schiller swore that you set your dogs on him while he was in the woods, immediately after that riot at Hamburg. State whether that is true or not.—A. That is not true; not a word of it.

By Mr. CAMERON :

Q. He also stated that you kept a pack of dogs and hunted runaway negroes before the emancipation.—A. Yes, sir; I used to run everybody, black or white, that stole or murdered in the county. I done it for ten years.

Q. You had a pack of dogs?—A. Yes, sir, I had, but the negroes killed them. I have not got a dog now.

Q. That was your business?—A. No, sir; my business was farming, but when a man was murdered in the neighborhood they came to me, and when they did so I would set my dogs after him.

Q. When a negro ran away, if they came for you did you not go out with your dogs and run them down?—A. Yes, sir; and I have caught children that run away from their home. I have trailed them up and caught them. I have had dogs that I have been sent for as far as fifty miles, and hunted both white and black.

Q. You had quite a reputation in that business?—A. I had, sir.

COLEMAN BEATTY—RICHLAND COUNTY.

COLUMBIA, S. C., *January 2, 1877.*

COLEMAN BEATTY (colored) sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. I will be thirty-two years old this month coming.

Q. What is your business?—A. Well, sir, I am a farmer

Q. Where do you reside?—A. I live here in this city.

Q. In the city of Columbia?—A. Yes, sir.

Q. To what political party do you belong?—A. The democratic party.

Q. State whether you took any part in the late political canvass in this State.—A. Yes, sir.

Q. State what you did, and if any indignities were offered you on account of your politics; and, if you say yes, when and where?—A. Well, I took part in the campaign, and I did all I could in the way of canvassing and in making speeches. I did all I could for the party in that way, sir.

Q. Where did you speak?—A. Well, sir, I spoke in this city often, and in Orangeburgh Village, and in various portions of the county. In the town of Blackville, Kershaw County; in the town of Camden, in the same county, and Winnsborough and a portion of Aiken County. I were through Lexington, but I did not make any speeches in that county.

Q. Did you speak in Fairfield County?—A. Yes, sir; that was in the town of Winnsborough; that is in Fairfield County.

Q. Did you speak in Barnwell County?—A. I did, in the town of Blackville.

Q. Was any threat or force used to induce you to go with the democrats?—A. No, sir.

Q. Do you know whether many colored people voted with the democrats?—A. Yes, sir; I know of a good many that did.

Q. Do you know whether there were many clubs in the State called colored democratic clubs?—A. Yes, sir.

Q. Well, in any of those cases do you know whether any of the men were forced to join them?

The WITNESS. The clubs?

Q. Yes.—A. No, sir. At several different times the colored men told me that they would join our clubs and wished to do it, and wanted to go with us, but they were afeared of their own party; they were afeared of their republican friends on account of the threats that they made

towards them joining; they were afeared to join the democratic clubs, afeared to vote the ticket. Many of them told me that on the day of the election, and many of them had the democratic ticket, and said they would vote it if they could do it without being discovered.

Q. How about the women?—A. The colored women?

Q. Yes, sir.—A. They were very disgraceful, sir, in regard to the making of threats and talking to the colored democrats, &c.

Q. State whether any indignities were offered you on any occasion; and, if they have been, when and where?—A. What do you mean, sir?

Q. Violence extended to you.—A. Well, sir, I had often to meet a great many violent threats towards me.

Q. What did they say? Give us some of those threats.—A. They used profane language.

By Mr. CHRISTIANCY:

Q. Do you call profane language threats?—A. I mean to say that they used profane language, cursing and calling me bad names, &c.

By Mr. MERRIMON:

Q. Give us a specimen of them.—A. I have had them tell me right to my face, "You God damned son of a bitch, you ought to be killed. If I had my way I would kill you." I went on the street once in Camden, walking along very quietly—myself and another colored man that was there, by the name of S. L. Hutchins, and there were one or two colored men right on the street side, up on a brick building, at work. They were putting a building up—building a roof there or something like that; it was the first time I was in Camden, at the commencement of the campaign, and one of them called out, "What are you God damned sons of bitches doing here—hunting overseers?" I told him, "No, sir; I am not hunting any overseers; why, do you want employment?" That was the way I answered him. I passed it back to him the same way, as a sort of joke. He says to me, "You God damned democratic sons of bitches, you better get out of this town." He says, "You better stay mighty close in the hotel while you are here." I says to him, "My friend, I am a free man and I am in a free country, and I want you to know that I am not afraid of you or anything you can do, and you cannot scare me; I am in a free country; the same laws that protect you in this State will protect me." That was the answer I gave him. Then, I think it was the boss man of the work, probably—he was a white man—threw in a word. He says, "Don't have any further words with them; they are always ready for a riot or some disturbance." We just walked on and did not have any more words with them. Well, we knocked around on the streets there for a day or two. There was another colored man, by the name of Fred McCoy—I remember his name—he used some violent language towards us on the street one day, and made some threats, and my friend Hutchins had him arrested and taken before a magistrate, and had a trial of it before the trial-justice.

Q. Were you ever pulled off the platform and not allowed to speak?—A. No, sir; but I have been very badly disturbed by a good many men raising a disturbance and holloing, "Take him down, take him down," &c., using violent language, so that in my judgment I thought that if I did not get down that it probably might cause some riot or some trouble. In some places I came down on that account.

Q. State whether anything was done to you in this city, the city of Columbia, and, if so, what.—A. Well, sir, they have been nothing done to me in the way of striking me, nothing more than the violent language

and the making of threats; but I have always taken that and never would make any reply to the men when they would threaten. They seemed to be disposed to raise a disturbance with me about my political opinion, and I always treated them as a gentleman, and for that reason I got along without having a fuss very often. I probably would if I had not treated them that way.

On the day of the election here one of the police-force, when I went up to the polls to vote, he nabbed hold of me and pulled me away. I had my ticket in my hand and open and I asked him to let me alone, that I was going up to vote. He says to me, "No; you are not going to vote; I know what you are going in there for." Says I, "Let me loose," and he pulled me back the third time; and then the other police and some gentleman spoke to him to let me loose, and I walked up and voted. I had him indicted, but the case has not been tried yet.

Q. Do you know any other facts of the same character that you can state to the committee?—A. Well, sir, it was a general thing in various portions of every county, all over the county, I went through.

CROSS-EXAMINATION.

By Mr. CAMERON :

Q. When did you become a democrat?—A. When I was first set free and was allowed to vote.

Q. You have been a democrat ever since?—A. Yes, sir.

Q. Where were you when you were set free?—A. I were in Union.

Q. In Union County?—A. Union County, South Carolina.

Q. When did you come to Columbia?—A. I have been here going on three years.

Q. You say you are a farmer?—A. Yes, sir; I was born and raised up on a farm.

Q. What has been your business during the last three years?—A. I have been working in a hotel a portion of the time, and a portion of the time working in the barber's trade.

Q. Then you have not been farming during the last three years?—A. No, sir. I have not raised any farm except very small patches.

Q. Then you are a barber by trade, are you?—A. Yes, sir.

Q. Are you carrying on a barber's shop now?—A. No, sir; I have not got any shop with me at present.

Q. What are you engaged in doing now?—A. Well, sir, my only business I followed since the election—I get wages. I take care of several gentlemen's rooms here; I attend to some few gentlemen's rooms and carry their meals, clean up their rooms, &c. I do a good many gentlemen's shaving.

Q. When did you quit the occupation of a farmer?—A. When I left Union to come to Columbia.

Q. At what time did you go into the business of politics?—A. In this last campaign, do you mean?

Q. Yes.—A. Well, I disremember the time, but it was some time after the nomination of Governor Hampton.

Q. Who paid your expenses when you were on your speaking-tour?—A. I paid my own expenses about all the way, and sometimes when I needed a little money my friends would help me; they would not charge me.

Q. So you went around speaking to your colored friends and sponged your living out of your friends, did you?—A. No, sir; I did not sponge my living.

Q. You borrowed money?—A. Yes; I borrowed money.

Q. And sometimes your friends would keep you without charging you?—A. Sometimes where I was stopping at a hotel, in different places, gentlemen would not charge me anything for my board and sleeping-room.

Q. That is the way you got on?—A. Yes, sir.

Q. How long were you engaged in canvassing the State?—A. About three months.

Q. How many speeches did you make during that time?—A. Well, sir, I suppose twenty-five or thirty.

Q. Did any colored persons ever beat you or strike you while you were on that tour?—A. No, sir.

Q. You never have suffered any physical beating, then, on account of your political principles?—A. No, sir.

Q. Did any colored republicans ever shoot at you on account of your political opinions, that you know of?—A. Not that I know of.

Q. Then you have not, on the whole, suffered very much on account of your political opinions, have you?—A. No, sir; I have not suffered in being struck or being shot or kicked, or anything like that.

Q. Well, were you ever badly frightened?—A. Well, yes, sir; I have been sometimes pretty badly scared at night.

Q. You were not badly enough frightened to turn pale, at any time, were you?—A. Well, I don't know, sir, how my color has turned, but I have been right smart scared sometimes.

Q. Where were you when you were the worst frightened?—A. When I was in Orangeburgh County, at a place called Cunsborough, in the upper part of Orangeburgh County.

Q. Did you make a speech there on that day?—A. No, sir; I got up on the stand to make a speech, and that was what frightened me—they raised such a disturbance around me; some of them had guns and one thing and another with them.

Q. Did you have any gun or pistol?—A. No, sir; I did not have nary guns or pistols.

Q. You considered yourself not only an apostle of democracy but an apostle of peace at the same time, did you?—A. Yes, sir; I did.

By Mr. MERRIMON:

Q. How many colored clubs did you visit during your campaign?—A. I visited a club here I was a member of in this city, and in Camden, and in Orangeburgh Village, and in Orangeburgh County; and in the town of Rossville, and a little club they had in Blackville. I visited them one meeting whilst I was there.

Q. How many men were in those clubs?—A. Our clubs here in the city had one hundred and some few odd; I don't remember exactly now. The club in Columbia, the last meeting I was at, had thirty-six. There was about forty down to Rossville the last time I was there with them, and about thirty in the town of Orangeburgh, and about eleven the last I was with them there in Blackville, the only time I was with them at that club.

By Mr. CAMERON:

Q. You are a democratic politician?—A. I don't profess to be a politicianer, but I always do what I can peaceably and quietly for my party.

Q. When did you commence the business of making speeches?—A. I made a few little speeches about nearly two years ago, the campaign before this last.

Q. You are recognized, are you not, among the colored people as a democratic politician?—A. Well, I don't know whether they recognize me much as a democratic politicianer; they recognize me as a democratic colored man.

Q. Did you ever run for any office?—A. No, sir.

Q. Your democratic friends never have nominated you for an office?—

A. They have offered to do it, but I asked them not to do it.

Q. What office did they offer to nominate you for?—A. They offered to try and get me the nomination of county commissioner in this county. Some few men spoke to me before the nomination was made in this county. I told them I did not care for it, because I was not qualified for the position.

Q. You were too modest to accept it, were you?—A. I will tell you the truth, I knew I was not qualified for the position in the way of education.

Q. You thought you had rather stick to the barber's trade?—A. I had rather stick to something that would suit me better.

Q. You were not frightened from voting at all?—A. Well, sir, I did vote; but I just tell you, on the day of the election when I walked up to the poll with my ticket in my hand—

Q. You have gone through that; that did not frighten you, did it?—A. Yes, sir; it frightened me right smart, because I thought they was going to have a fuss; it seemed like trouble; it came very near raising a row right at the polls.

Q. But that did not raise it, did it?—A. They did not raise it.

Q. You went up and voted?—A. Yes, sir.

Q. When you voted you were not frightened?—A. When I voted I voted, and immediately came away from the polls.

Q. You were not frightened, then, after the fuss was over?—A. I was somewhat frightened in my feelings.

Q. Frightened in your feelings?—A. Yes, sir.

Q. But that passed away before you voted, did it not?—A. No, sir; the men was talking with this policeman when I walked up to the polls, and I heard them talking to him about his conduct.

By Mr. CAMERON:

Q. Was the policeman who took you by the shoulder and pulled you back a republican?—A. Yes, sir.

Q. What was his name?—A. Sam. Locurst.

Q. You have had him indicted since then?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. Did he say what he wanted with you at that time?—A. No, sir; he did not say.

W. E. FLINT—RICHMOND COUNTY, GA.

COLUMBIA, S. C., *January 2, 1877.*

W. E. FLINT sworn and examined.

By Mr. MERRIMON:

Question. What is your age, your residence, and your business?—

Answer. My age is about thirty-seven years. I am connected with the C., C. and A. Railroad in Augusta, Ga., and I have been ever since the road came into the place.

Q. State whether, on the occasion of the riot there in July last, you saw John Thomas, and tell us who he is, and what you heard him say on the morning of the riot, and whether he was armed or not.—A. Well, John Thomas passed over the river in a boat.

Q. Is he a colored man?—A. Yes, sir; he claims to be a brother-in-law of Capt. Dock Adams. I had seen him and Dock Adams also crossing the river in the boat for months before; on this occasion I was standing at my freight train that morning, and I saw John Thomas in a boat, with a large pistol buckled around him, and I hollered to him from the farther end of the bridge, for the purpose of asking him how it was that he was carrying a pistol; it was something unusual for him; I had never seen him have a pistol buckled around him before that time, and I had known him for several years; he had crossed the road there often. I asked him, and he says, "Well, we expect to have a little fun to-day." He says, "Bob Butler has taken out a warrant for Captain Adams, because his son-in-law tried to drive through our company the other day."

Q. Was he there that night?—A. He was there that evening, when I left the bridge.

Q. Do you know whether he belonged to the military company or not?—A. I did; at least he said so, and I have often seen him with his gun going to and from the drill-room. I had seen him go to the drill-room that evening with his gun; and I had seen him standing talking to John Kelly, a wood-dealer in Augusta. This man was down there looking after his wood, and he says to Thomas, "You are a dangerous-looking man; I will have to get away from here." Thomas says, "I am going over to help the Hamburgh men; Butler and his crowd is trying to run over us in Hamburgh, and we are going to have some fun before they get through; they have ordered Captain Adams before Trial-Justice Rivers on last Thursday, and the case was put off until this evening, until 4 o'clock, and we don't intend to give up Captain Adams to go before Trial-Justice Rivers;" and he said, "Bob Butler has taken out a warrant for Captain Adams." I says to him, "John, let Captain Adams go before Trial-Justice Rivers, and stand his trial." He says, "We don't intend to give him up." Well, that was about half past three, and in the evening I seen this crowd in front of Trial-Justice Rivers's office, and I went over to the end of the bridge just in Hamburgh, and I seated myself there. I saw Attaway, also Schiller, John S. Simms, and another white man who had the case of Dock Adams, by the name of Sparnick, all standing on the sidewalk talking. They all walked up on the platform there in Hamburgh—four of them. Attaway left the other three, and walked down and ordered the men up into the drill-room, which was right in front of the bridge; he ordered them all off the sidewalk up in the drill-room. They took their guns up and placed them all around at the windows; and he said to them at the time, "Boys, fire into Butler or any of his crowd that passes this building."

Q. Who said that?—A. Attaway said that. Well, he came out of the drill-room, and started back to the platform, and after going up on the platform, stopped where the other three was that he had left, and turning toward the bridge he saw me standing there, and he says to the men in the drill-room, "Pull your window-blinds to; there's a man on the bridge who will see you, and know everything that is going on here;" says he, "Pull your window-blinds all to," and they pulled them to. About that time it was time for my train, the evening passenger-train out, and I went back to the farther end of the bridge. I followed

the train right through the bridge. The train stopped at the platform in Hamburg probably two minutes; there was a bend in the railroad there, and I could not see all the coaches. After the train passed the platform, I saw no one left on the platform but Adams. Whether the other three got on the train or not, I do not know; he was the only one I saw after the train passed.

Q. State more particularly how and why Attaway, as you call him, directed his men to shoot Butler, if they saw him passing; where were the men, and where was Attaway?—A. He was right under the drill-room, where they drill in.

Q. Were the negroes in the drill-room at that time?—A. Yes, sir; he carried up probably fifty in the drill-room from the sidewalk.

Q. Was Attaway an officer of the company?—A. Yes, sir.

Q. And what did he say?—A. He ordered them all into the drill-room, and placed them about the window, and told them to shoot Butler or any of this crowd that passed around the building.

Q. Who is Butler?—A. That is Robert Butler. He spoke that very plain; "Bob Butler," he said.

Q. State whether you know of any conspiracy against General Butler among the negroes there.—A. I don't understand you.

Mr. MERRIMON. I just ask you, do you know of any conspiracy against General Butler, any threatening to kill him or to do him bodily harm?

A. Yes, sir; with the negroes. They said that they intended to kill him.

Q. When?—A. All that day.

Q. What day?—A. On the 5th of July last.

Q. State all you know about that.—A. That General Butler was—

Q. State who it was, and let us have it in a tangible shape.—A. The negro who said that, his name is Dortick. I heard him speak to other negroes. He didn't say that to me. He was speaking to other negroes under the bridge, right under where I was sitting, and said that Bob Butler had employed General M. C. Butler for his case, and if he came there they would kill him.

Q. When was that?—A. On the 8th of July.

Q. What time in the day?—A. It was about two o'clock in the evening, sir.

By Mr. CHRISTIANCY:

Q. Who said that?—A. A boy by the name of Dortick or Dortrick, talking to two or three other negroes under the bridge, where they made a back-house, you may say. I came there, and I was right over them, and they didn't look up and see me and I could hear most everything that passed between them.

Q. That was a colored boy that was saying this?—A. Yes, sir.

Q. Did you see him after that time?—A. I seen him coming into the drill-room with his musket; he was a member of the company.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Where were you on the 8th of July?—A. I was at home.

Q. Where is your home?—A. In Augusta, Ga.

Q. Did you come over to Hamburg with the rest of the Georgians?—

A. No, sir; I did not even hear a gun at the time of the firing; I was at home in bed, asleep.

Q. Did you hear the cannon?—A. I can't say that I did.

Q. Can you say whether you did or not?—A. No, sir; I waked up at about that time, and some of the neighbors were passing and said that they were firing a cannon over there, and I supposed that waked me up, the report of the cannon; I do not know, I could not say what it was that waked me; it might have been. I was living in a place where there are two streets passing and a good deal of business around there.

Q. How far do you live from Hamburg?—A. I lived at that time one mile below the market; I was living at the lower end of Bridge street, the last house at that time inside of the incorporate limits of Augusta; the very last house, one mile from the market.

By Mr. CHRISTIANCY :

Q. This colored boy that you heard make that remark under the bridge and that you afterward saw going into the drill-room, have you seen him since that time?—A. I have, sir.

Q. Where does he live?—A. He lives in Hamburg.

Q. What is his name; how does he spell his name?—A. I do not know.

Q. What is his business?—A. At that time he was a fisherman; had his lines out across the Savannah River, and fished. What he is at now I do not know. I haven't seen him for a week or ten days past.

Q. Have you seen General Butler since you were here?—A. Yes, sir.

Q. Have you talked to him on this subject?—A. Yes, sir.

Q. Did he make a statement for you in writing; a statement substantially of your testimony?—A. I made a statement to him.

Q. Did he take it down?—A. Yes, sir; I think he did.

By Mr. CAMERON :

Q. Where is this John Thomas, whom you have spoken of, now?—A. I can't say. He was living in Hamburg at that time, taking washing from the other side of the river, which he crossed every morning, carrying his clothes, and crossed two or three times a day in fact, for his wife, and his wife carried them across too.

Q. Where is Attaway?—A. I do not know, sir; I have heard that he was killed; I have not seen him since; I don't know whether he was killed or not.

By Mr. MERRIMON :

Q. Did General Butler suggest to you what to say on this occasion?—A. No, sir.

Q. Did he try to persuade you to say anything you did not want to say?—A. No, sir.

WILLIAM WILSON—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

WILLIAM WILSON sworn and examined.

By Mr. MERRIMON :

Question. What is your age, sir?—Answer. I am fifty-five years old.

Q. Where do you reside?—A. In Abbeville County.

Q. At what point in Abbeville?—A. Calhoun's Township, near Calhoun's Mills.

Q. What is your business?—A. I am a farmer.

Q. To what political party do you belong, if any?—A. I belong to the democratic party.

Q. State whether you had any official connection with the late election at Calhoun's Mills.—A. I was appointed supervisor of election by the democratic party, and officiated as such.

Q. I ask you now to give the committee an account of how the election was conducted; whether there was intimidation or violence of any sort, or anything there to prevent the colored people from voting as they chose. Give the committee as accurate an account as you can of your observations there?—A. Well, sir, I went to Calhoun's Mills the evening before the election, and staid there all night. I was there on the morning of the 7th when the poll was opened. I was at the polling-ground, and we had no house to poll in, and we erected a little cabin out in an old field where we held the election, the managers together with the supervisors. I was at this place when the polls were opened. About five o'clock on the morning of the 7th I was on the ground, together with some twenty or twenty-five white men, I suppose, around a little fire. The colored people in the neighborhood of Mount Carmel and in the vicinity of the Savannah River—up and down the Savannah River—came in, I think, from one hundred and thirty to one hundred and fifty of them, about five o'clock in the morning; I think it was about that hour—before day. These men went up to the polls very quietly. There was no disturbance nor fuss, nor was there any shouting amongst them. Every man had in his hand a very heavy club; every man as well as I could see, for I examined them closely. Before long they were in front of the little shanty that we had erected for the purpose of conducting the election, and we said to them, as they came up, to take their positions in the rear, and they moved around in the rear and stood in the ranks I think fifteen or twenty minutes, and there was not a word said; but about that time they broke their ranks and commenced to come up and crowd around the poll-box, and there they remained until the polls were opened. The polls were opened at six o'clock; and by that time I think there came in about one hundred and fifty colored men from the direction of Saint Mary's, where they had camped the night before. The voting was commenced by white men on the ground, and a few votes were cast; I don't know how many, for there was a considerable of confusion about this time. There was a great press around the poll-box, and about six o'clock the polls were opened, and I don't think there was more than fifteen or twenty white men voted at that time; but these negroes on the ground had formed themselves in a column, two men deep, and they then pressed into the polls, and forced the white men away from them, and they kept the poll-box, I think, from that time until about twelve o'clock. There was continuous voting. By twelve o'clock the majority of the voting was over, and this solid column was broken up. They had all passed through and cast their votes; and about that time there was a little disturbance got up on the ground. There was a colored man by the name of Heard. He had a difficulty with a white man, but it was a private affair; it lasted but a few minutes, and Heard left the ground. He was at the stand, and he left the ground and ran off to Lieutenant Barnhart, who was sitting on his horse, some fifteen or twenty steps from the poll; and he ordered the people to behave themselves and let Heard alone.

Q. Did you know anything about what that difficulty between Heard and some one else was?—A. I don't know. It seemed to be some grudge that was against Heard, or some difference between Heard and this party. I know it was no political difficulty.

Q. It was not a political quarrel?—A. No, sir.

Q. It had nothing to do with the election?—A. No, sir.

Q. Where were the men from, who had the quarrel with him?—A. They were from up and down the Savannah River, somewhere. I remember one of the men lived in Georgia, and I think the other man, or men, for there were three men, lived in Carolina. They were strangers to me. I didn't know them.

Q. Did any Georgians vote there?—A. If so, I did not know it, sir. There was a man impeached by Heard and Sutton. I don't know what. There was a white man came up to the polls to vote, and Heard said that he didn't live in the State, and he said that he did live in the State, and he could prove that he lived in Carolina, in Abbeville district. They didn't prove to the contrary, and I think he voted.

Q. At the time of that disturbance between Heard and those men, was the voting going on?—A. The voting was going on; the greater part of the voting was over. I think it was about twelve o'clock when that took place.

Q. The bulk of the voting was over at that time?—A. The bulk of the voting was over at that time.

Q. What took place after that?—A. There was not a great deal took place after that. At the time this disturbance took place between Heard and these other men, he ordered the people to keep quiet, and said to them, "You can come up and cast your votes," and didn't let that interfere with us. That fuss had nothing to with it. The voting then went on till, I suppose, probably four o'clock in the evening; the voting was scattered, and by that time, I think, it was nearly over.

Q. Was there any voting after that time?—A. There was no difficulty in voting there at all, sir.

Q. Did you see any armed men around the box?—A. If there was, I didn't see them.

Q. You were there?—A. I was their supervisor of election. I saw one gun in the morning, before the election, and that was the only gun I saw until after the election was over.

Q. Can you say, certainly, that there were no armed men around the polls, after twelve o'clock, so as to prevent the men from voting?—A. Certainly. If there was any armed men I did not see them. I did not see any pistols. I saw a pistol drawn while this disturbance was going on, and there was a report of some bush whacking, some quarter of mile off. I saw one pistol drawn out, in the hands of a poor fellow—a fractious sort of a youngster, who was there shooting off his pistol.

Q. Who was he?—A. I did not see it. He lives on the Savannah River, but I don't know who it was. It seems to me it was a man by the name of Thornton.

Q. Did Heard vote there?—A. Yes, sir; he voted there.

Q. Did you see him vote?—A. Yes, sir; I saw him vote.

Q. What time after the disturbance was it?—A. I do not know how long.

Q. You are sure that he voted?—A. I am sure he voted. I saw him vote.

Q. Did you call up the crowd to vote?—A. I did, sir. From time to time, during the day, I called upon people generally to come up and vote.

Q. Did the managers vote?—A. Well, there was two of the managers. We had three managers at the box—two colored men and a white man. The white man voted, but the colored men did not vote.

Q. Why did not they vote?—A. They said they didn't come there to vote, and wouldn't vote. I told them to vote. The manager voted last. The managers and supervisors voted at the close of the election; and I spoke to these two men, Wright and Clay. Says I, "Now put in

your votes; don't go away from here and say that we hindered you from voting." They said that they would not do it; that they didn't intend to vote.

Q. Did you know a white man there by the name of Vickers?—A. There was a white man there by that name, but I don't know him.

Q. Was he shot?—A. He was shot.

Q. Did you see him shot?—A. No, sir.

Q. This Clay says that a crowd of white men came from Magnolia about ten o'clock on the day of the election. Did you see them?—A. I saw them come there, and it was twelve o'clock in the day. There was only a few men. Captain Cade was with them.

Q. How many?—A. I think, probably, as many as fifteen.

Q. Were they armed?—A. If they had any guns I did not see them. They may have had pistols, but there were no arms in sight.

Q. Did they make any violent demonstrations; or drive the people from the box; or take possession of it?—A. No, sir; not at all.

Q. He says that about half past one o'clock a white man came to the polls and laid his pistol on the box, and asked the democratic manager to write a certificate that there had been no intimidation up to that time; that he wrote it and made Clay and the other republican manager sign it; that it was not true. What do you say as to that?—A. I was present when that certificate was written, and I was present when the man called for it.

Q. Was there any pistol exhibited?—A. There was no pistol exhibited at all. I was present there and I saw the managers sign it, and there was no pistol exhibited at all.

Q. Were there no armed men around there demanding it?—A. There was only one man demanding it. I suppose he had a pistol, but he didn't show it. He didn't draw it on them, and he asked—he didn't make a demand—he asked them to give him a certificate certifying to the fact that the election was fair up to that time. Colonel Tallman was the clerk, and he wrote the certificate.

Q. That was just after this row?—A. No, sir; it was a long time after that row—two hours.

Q. He says that one hundred republicans were driven away without voting. Did you observe anything of that sort?—A. No, sir; I don't think there was anybody driven away from there. I think that every man that went there voted, who wanted to.

Q. Could others vote that didn't vote?—A. Others could have voted because there was not much voting from half after three until six o'clock.

Q. You were about the box all that day?—A. I was there all day, sir.

Q. Did you see William H. Tucker knocked down by anybody?—A. No, sir.

Q. Did you see a man by the name of Vickers?—A. I don't know Vickers. There was a man there by that name, but I didn't see him.

Q. You didn't see Tucker knocked down?—A. I did not.

Q. If he had been knocked down at the ballot-box would you have seen him?—A. I would have seen it, because I was not more than five feet away from it all day long.

Q. I ask you, sir, whether you at any time, in any way, sought to induce colored men to vote the democratic ticket by threats of violence, or any violence, or any proscription?—A. Not at all, sir. Before the election came on, as a means of persuasion, I called all my people together on my plantation, and talked about this thing. I told them that there was such a thing as proscription going on in the county. "Now," I said, "I don't want none of you to be proscribed. I have been on this

plantation nearly four years, and I have got along very well, but I have never had any trouble whatever with you, and I don't want none of you to be proscribed; I want you to remain with me, and I tell you now that it would be entirely to your interests to go with me and vote with me at the election, and share my interests on my place."

Q. You did nothing more than that?—A. I done nothing more than that.

Q. You didn't turn any men off, and didn't propose to do it?—A. I did not say anything about turning any man off.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. You stated to your "people," as you call them, that there was such a thing as proscription going on in the county?—A. I told them that it was going on.

Q. State to the committee what information you have in regard to proscription going on in that county.—A. Well, you see our county has been organized into what we call democratic clubs for a number of months, and this thing has been talked of during this lapse of time by the different clubs, and proscription has gone on in the townships; and in different townships these men who have been most violent and who have been rather the most troublesome, and the greatest annoyance in the country, have been marked as proscribed persons, and it has been thought proper and advised, for the benefit of our county, not to hire these people, but let them go somewhere else. That is what has been done in the way of proscription.

Q. You speak of these persons who have been the most troublesome; what do you mean by that?—A. I mean, sir, that we have a number of people in our county, both white and black men, that have kept up a continual strife between the two races, between the white race and black race, keeping up what we call radical meetings—night meetings. I know one in less than half a mile of my house, in a school-house, a colored-school house, and they used it as a church at different times through the course of the year, and in fact it has been that way ever since I have been there, four years. There have been frequent meetings held there under the pretext of religious meetings, and it all turned out to be political meetings; and in that way they kept up a continual disturbance; and at nearly all of these meetings they have a feast. I am about the only white man in the neighborhood, for I live in the heart of the colored settlements; and I know that there are a lot of negroes there that have got nothing, and they don't work, and they have large families; and I have hard work to support my own family, as well as my colored people. I have been stolen from time and time again to supply these feasts, and hence I call them troublesome. I know that a great deal of my provisions have been taken to furnish these men with something to eat when they go there. I have had between twenty-five and thirty sheep taken out of my pasture, and in this way I know these people are troublesome.

Q. The troublesome people were the leaders of these radical meetings or clubs?—A. Not all of them.

Q. As a general thing?—A. As a general thing, but not all of them. We have a class of people amongst us there we call rogues, and hence our people have been making an attempt to get rid of this class of people.

Q. Did you swear that political considerations do not influence the

whites in proscribing colored men?—A. No, I do not say that, sir, because I know that in a great point of view there has been a number of these political men that are fiery and wicked in their behavior, and General Hampton and the white people have been proscribed on account of them.

Q. Who was the man who came to Calhoun's Mills and asked for a certificate that the election had up to that time been fair and peaceable and regular?—A. A man named Cade, Capt. Ben Cade.

Q. Where does this Captain Cade live?—A. He lives at a place called Cherry Hill, or did live there. His house has been burned down since the election, or the house owned by General George McDonald that he lived in. I think he makes it his home now with his brother in Georgia.

Q. Is he not rather a violent character?—A. Well, I do not know that he can be considered a violent character; he is a drinking man, but a man that the colored people have a great liking for. He has a great number of them about him, and they like him very much.

Q. Do they like him so well that they have burned his house?—A. I do not know how that house was burned. He has a great number of colored people around him, and they have a great liking for him.

Q. What did he have to do with the election at Calhoun's Mills?—A. He had nothing to do with it; nothing at all, more than anybody else, except that he was captain of one of those clubs—captain, or just commander, of one of those democratic clubs.

Q. What right had he to demand the certificate that you speak of?—A. He did not make a demand.

Q. Well, he asked for it?—A. He made the request. I don't suppose he had any more right than any other man had.

Q. Did Cade vote at that time?—A. Yes, sir, he did.

Q. How far does he reside from Calhoun's Mills?—A. I think it is probably eight or nine miles from there to where he lives.

Q. What time did he arrive at the poll that day?—A. I think it was about twelve o'clock.

Q. Did he come alone or in company with others?—A. There were others in company with him.

Q. How many?—A. Twelve or fifteen or maybe more.

Q. Were they mounted?—A. They were all mounted.

Q. Were they armed?—A. If they were armed I saw no arms. They may have had pistols, but I did not see them.

Q. Were they uniformed with red shirts?—A. No, sir; they had a different uniform; they had a sort of a blue shirt, with some yellow braid around it. The majority of the men that came on with him were his own people—on his place, his tenants—and I am sure that nearly all who came with him were colored people, very few white men.

HENRY A. MEETZE—LEXINGTON COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

HENRY A. MEETZE sworn and examined.

By Mr. MERRIMON :

Question. Where is your residence?—Answer. At Lexington Court-House, in this State.

Q. What is your business?—A. I am a lawyer by profession, and a small farmer, more for pleasure than profit.

Q. What political party do you affiliate with?—A. I belong to the democratic party; chairman of the executive committee of the democratic party for my county.

Q. Lexington is in Lexington County, I suppose?—A. Yes, sir; the county-seat.

Q. State whether you took part in the late political campaign, and, if you say yes, give the committee to understand how the campaign was conducted; whether in a spirit of peace or whether there was turbulence, or violence, or force, or intimidation practiced toward the colored people to induce them to vote the democratic ticket?—A. I took a very active part in the campaign, and canvassed the county thoroughly. The campaign in my county was a very active one and the strength of both parties was pretty fully developed and brought out in the election. We have never had any trouble in my county either at this campaign or any preceding one at times of election; everything was entirely peaceable and quiet, and the returns of the supervisors were signed by both the democratic and republican supervisors, except one or two that was sent through me to Mr. Samuel T. Poynier, of this place, the chief supervisor of the State, and he took very particular pains to examine them to see whether or not any violence was recorded. I think there were one or two cases of voters who were under age, not properly entitled to vote.

In relation to the conduct of the campaign, and as chairman of the executive committee of my county, I met the State executive committee here in Columbia; I think it was just previous to the election, when the committee was in session, I think, two days and two nights discussing the final plans for carrying on the campaign. The charge was repeated time and again, by the chairman of the executive committee, that the whole campaign of the State must be carried on the line of policy suggested by General Hampton in his speeches and declarations.

Q. State whether you occupy any official position in the State.—A. Yes, sir; I am now in the State senate; I was elected in 1872 to the House of Representatives, and I served two terms of two years each, and last November I was elected to the State senate.

Q. State whether any statute has been passed by your legislature providing for the registration of voters, or whether any effort has been made to have one passed.—A. Efforts have been made time and again since I have been in the legislature, and have been defeated all the time.

Q. By which party were they defeated in the legislature?—A. As a matter of course by the republican party, because they were very strongly in the ascendancy. The democratic party in the legislature were the strongest during the last session, when we had only thirty-one or two members out of one hundred and twenty-four.

Mr. MERRIMON. You can examine the witness

Mr. CAMERON. I do not wish to ask him any questions.

LIEUT. W. A. MILLER—LAURENS COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

W. A. MILLER sworn and examined

By Mr. MERRIMON:

Q. What is your age and place of business?—A. I am thirty-one

years of age; an officer of the Regular Army; first lieutenant of the Eighteenth Infantry.

Q. Where were you stationed on the day of the late election in this State?—A. At Clinton, South Carolina, in Laurens County.

Q. State whether you were in command of a detachment of troops there.—A. I was commanding a detachment of fifteen men at that place that day.

Q. State any facts within your knowledge as to the manner of conducting the election; whether it was violent or otherwise.—A. On the day of the election it was very quiet. There was no marshal present, and I expected to meet a marshal there, but not finding any, I inquired for the highest civil officer I could find, who was a trial-justice, and reported to him, and told him if there should be any disturbance and he wished any assistance to preserve the peace, I was at his service. As there was no officer present, no civil officer further than this trial-justice—no marshal—I kept my men away from the polls, but I visited the polls several times during the day myself to see that there was no disturbance, and, if there was any, to notice the parties who started it.

Q. Did you observe any violence there?—A. No, sir; there was none; nothing more than there was a good deal of excitement over the election, hurrahing, and when there was a vote cast by any colored man that voted the democratic ticket there was a general hollering.

Q. Hurrahing over that?—A. Yes, sir; hurrahing over that.

Q. Was this hurrahing on both sides?—A. I could not answer that. There was a general hurrahing, and during the day there were couriers coming in—well, about every hour, from Laurens, bringing the news down how the voting was going on, and these men were some of them with red shirts on, and their horses were decorated with red flannel, and when they came in they would come in at a rush and gallop, and sometimes ride around the square and holler, and bring in the news; but further than that, as far as the voting was carried on, I watched very carefully. I noticed that every person was admitted to the polls, and everything went on very quietly with that exception.

Q. If there was any intimidation there, you did not observe it?—A. There was no intimidation at the polls that I saw; outside of the polls I don't know anything about it, sir.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. How near to the polling-place were you, lieutenant?—A. My detachment was about one hundred and eighty yards from it, sir.

Q. Where did you remain yourself during the day?—A. Sometimes I was stopping at the store just across, on the opposite side of the street. They were voting in the back yard, back of some store. Just across the street there was a pair of steps opposite the place where they were voting, and I could sit there and overlook the polls.

Q. At what distance were you from the polls when you were sitting there?—A. About forty or fifty yards, sir; I don't think it would be over that. I did not remain there all day; I would occasionally walk around. As there was no marshal present, I was very anxious to see if there was any disturbance and the party that caused it, and I kept a close lookout during the day, and sometimes I would be walking about—would walk about the streets; take a walk around the square to see what was going on.

Q. Did you remain with your men any portion of the day?—A. Yes,

sir; when I would leave the steps I would take, probably, a walk around the square, and come back to my detachment and stay there an hour or so.

Q. Could you see the voting-place from the place where your detachment was quartered?—A. No, sir; there were some houses between the voting-place and my detachment. My detachment was across on the opposite side of the street, and also across the railroad beyond the depot; and the houses where they were voting fronted on the street and the depot, and the voting was in the rear of the buildings.

Q. How long have you been stationed in South Carolina?—A. Since 1870; since the winter of 1870 I have been in this State.

Q. How long were you at Clinton with your detachment?—A. I was there nearly three days.

Q. Where were you prior to going to Clinton?—A. I was at Laurens.

Q. How long were you at Laurens?—A. In all, sir, I was there nearly two months, sir.

Q. Who was in command of your company?—A. Captain Stewart, of the Eighteenth Regiment.

Mr. CAMERON. That is all.

The WITNESS. I would like to state also that I have visited across the country from Greenville to Laurens. My wife is in Greenville, and I went across the country about every two weeks, and several times in going across the country I was insulted, and also once with my wife, on account of having on my uniform and traveling in a little basket carriage that is pretty well known. There was a large party, and I knew some of them, and they knew me very well in that section; and they used very insulting language, and asked me who that woman was riding with me, and they tried to drive their teams over me.

By Mr. CHRISTIANCY:

Q. Who were these; white people?—A. Yes, sir; some colored were along, but the white ones were the ones that used the insulting language to me.

By Mr. CAMERON:

Q. You may state anything else that occurred within your knowledge during the last political campaign.—A. Well, they made such remarks as this: "I intend to drive into that damned little Yankee carriage;" and wanted to know who it was that I had in with me, and all such language as that—if I was up there to elect Chamberlain. It was a matter that I did not take any part in. I did not take any part in politics, and a while ago I was called upstairs before General Butler, and refused there to say anything about it. I bear myself aloof, as far as I possibly can, from politics, as I consider it the place of an Army officer to do so.

By Mr. CHRISTIANCY:

Q. What remark did you hear at that time about the election?—A. Nothing further than I told you; that they said they supposed I was up there to elect a Chamberlain. At the same time I did not make any reply, except that I told them I was there for the purpose of preserving the peace, and it did not make any difference what party that I was called upon to protect, I should use all the power I had to preserve the peace and to protect any person that came to me for protection, and if it was necessary for me to have given up my life for the protection of either person or property I should have done so; it didn't make any difference to me about either party. In crossing the country one day I

was stopped by a colored man, who saw that I was in uniform, and he reported to me a case of rape where there was five or six white men raped his daughter, or, rather, his step-daughter, and in talking with him I asked him why he did not have warrants taken out for those parties and arrest them; and he said that the civil officers were afraid to issue any warrants, and that if he should have made any attempts of that kind that he would have to leave the country—that he could not stay there; and he had a large family and he could not get away; that his crop was there, and if he was to take any steps toward bringing them to justice he would have to leave that section of the country, and he could not well do it; that he preferred to let the matter drop rather than to be driven away from his home. Also, there was a case there of a man by the name of Putman—

By Mr. MERRIMON:

Q. Did that colored man give you his name?—A. He gave it to me, but I do not remember it now; I know him.

Q. You do not know those facts of your own knowledge?—A. I know it, sir, from rumor, and I have heard other parties speak of it. It was general talk about there.

Q. You don't know it of your own knowledge?—A. Nothing only from hearsay.

Mr. MERRIMON. I ask the chairman to strike that evidence out.

By Mr. CAMERON:

Q. You can state anything else that occurred in your own observation.—A. My instructions did not require me to make any further report than on the day of the election. The night before the election there was a party of at least two hundred persons riding in Clinton.

By Mr. CHRISTIANCY:

Q. White men?—A. Yes, sir; I think there were some black men also. I looked at them; it was a moonlight night, and I could see them from my window as they were passing by. I got up when I heard the noise. They were yelling, and some of them had some torchlights, and they were making a great deal of noise, and riding very rapidly, and galloping up and down the streets. I don't know where they went to; the next morning I could not hear anything of them.

By Mr. CAMERON:

Q. What time in the night was that?—A. That was about eleven o'clock on the night of the 6th.

By Mr. CHRISTIANCY:

Q. Did you hear any guns fired during the night?—A. Yes, sir; I heard some guns, but that is such a common thing that I paid very little attention to it, especially before an election.

Q. Is it a usual thing to hear guns fired at night through that country?—A. Yes, sir.

Q. Perhaps, then, you can state, in your travels around the country, whether you have seen large companies of white men parading around at night with guns or pistols.—A. Not since the Ku-Klux troubles, with the exception of this party. The day before there was a political meeting at Laurens. I was ordered to Greenville by my captain to look at some quartermaster's property that was over there, and I left early in the morning, about seven o'clock, and I met with colored parties coming in, I suppose, to attend the meeting; and whenever they saw me and Major Stewart's son, who was with me, they would take to the woods—

turn out and leave the road—showing that they had some fear; I don't know what from; and as we went over that day we met a party of ten or twelve, with their horses——

By Mr. CAMERON :

Q. White men?—A. Yes, sir; white men, with horses decorated with red flannel tied to their manes and tails, and some had on red shirts, and some were armed.

By Mr. CHRISTIANCY :

Q. With guns?—A. No, sir; revolvers. I could see their belts, and I saw the butt of one revolver.

By Mr. CAMERON :

Q. You may state anything else that occurred within your own knowledge during the campaign.

Mr. CHRISTIANCY. Anything which would tend to show that the colored people were intimidated by threats, or riding about and firing guns, or anything of that kind.

A. I have heard such threats as this. I want to be perfectly candid. I have been told by the colored people that if they voted the democratic ticket they would have to leave their farms.

Q. You do not mean if they voted the democratic ticket?—A. Yes, sir; that their employers would turn them off if they did.

Q. What were their employers, democrats or republicans?—A. They were white men. I don't know, but I suppose they were democrats. They were told that if they did not vote the democratic ticket——

Q. That is it; that is what I was trying to get at. Then you mean that if they did not vote the democratic ticket they would be turned off?—A. Yes, sir; that is the way I meant to state it; and a great many of them staid away from the polls on that account; they did not vote at all.

By Mr. MERRIMON :

Q. Do you know that of your own knowledge?—A. I don't know it; I never saw any of them remain away on that account, but in talking with them they told me so.

Mr. MERRIMON. I cite you to your ruling.

Mr. CAMERON. I only asked the lieutenant to state what came within his own personal knowledge.

Mr. MERRIMON. It is perfectly manifest that two-thirds of what he has stated is not of his own knowledge, and it is down on the record.

By Mr. CHRISTIANCY :

Q. I wish to ask whether you heard the white people say anything about not employing the colored people, or about turning them off, or refusing to rent them lands, if they voted the republican ticket?—A. No, sir.

Q. You did not have any conversation with the whites?—A. No, sir. We had while at Greenville four or five colored men come over from the edge of Laurens County for protection last fall. I was on leave during the month of September while most of this excitement was going on, but before I left on leave there were five or six colored men came in, and some of them had been badly whipped.

Q. You saw these men where they had been whipped?—A. Yes, sir.

By Mr. MERRIMON :

Q. Did you see them whipped?—A. No, sir; I saw one of them that had

his head beaten, and they said that they had been whipped and had to leave on account of their republican principles.

Mr. MERRIMON. I believe it does not do any good to protest against this hearsay.

Mr. CAMERON. He is stating what they said in connection with the marks of whipping.

Q. What occurred in Laurens that day in connection with the election during the time that you were there?—A. Well, sir, I don't know anything further than I have stated. Those parties came from Laurens, and in traveling across the country I could see that there was a strong effort made to carry this election—well, with a great deal of bombast and a good deal of flourish, and getting together in parties, and riding about, and things of that kind.

Q. From what you saw of these parties riding through the country and firing guns at night, and from what you saw of the action of the colored people, can you state whether they appeared to be intimidated?

Mr. MERRIMON. I object to that question.

Mr. CAMERON, [to the witness.] You can answer the question.

A. Well, sir, from the general appearance, I consider that there were a number of colored people that were afraid to go to the polls.

Q. (By Mr. MERRIMON.) That is your opinion?—A. Yes, sir.

By Mr. CAMERON:

Q. State the facts that came within your observation, lieutenant.—A. From the influence that was brought to bear upon these colored people, I think there were a great many of them that were afraid to visit the polls. They were told, as I said, that if they would go there and vote as their employers wished them to, they would allow them to live on their farms

By Mr. MERRIMON:

Q. Is that your information?—A. It is my information, based upon what I have seen.

Mr. MERRIMON. We don't want your information; we want the facts that you saw.

By Mr. CHRISTIANCY:

Q. I want to inquire a little more about these men who came to you for protection who had been whipped; did you see the marks—you say one was cut around the head?—A. Yes, sir.

Q. Did you see any marks upon any of the others where they had been whipped?—A. No, sir; but they reported to me that they had been, and it was just at that time that I was preparing to go on leave, and I did not have time to examine particularly into their cases. They applied to us for protection, and Major Stewart allowed them to sleep in camp; they had no place to stay; and they went before some trial-justice there and made affidavit to that effect.

Q. From what you saw and knew, were you acting in good faith when you gave them protection?—A. Yes, sir.

Q. Did your official duty require you to give protection to them?—A. They asked protection, and said they were afraid to go back to their homes, and we allowed them to stay there for protection.

Q. Was that at Laurens Court-House?—A. No, sir; at Greenville Court-House, but these men came out of the edge of Laurens County; there were no troops there.

Q. That was the nearest place where they could find troops?—A. Yes, sir.

Q. Did you pass around anywhere else during the campaign, except where you have described?—A. No, sir; I have made it a rule to keep

aloof from political meetings, or to get into conversation with persons in regard to any political matter; that has been my rule.

Q. When these white people were traveling around in that way, did you hear any of their cries or shouts or what they were saying?—A. Nothing further than hurrahing for Hampton.

By Mr. MERRIMON:

Q. You never heard them hurrahing for Hayes and Wheeler?—A. It was very seldom you heard any hurrahing for Hayes and Wheeler or Chamberlain.

Q. They did not get any votes in the State at all, did they?—A. Yes, sir; I think so at least, judging from what I have seen in the papers. Of course I don't know anything about the voting.

Q. What you have told us, about what these men told you, you have given as your opinion, based upon what they told you?—A. Based upon that and what I have seen myself.

Q. Whether what these men told you was true, you don't know?—A. No, sir.

By Mr. CHRISTIANCY:

Q. You spoke from hearing from the whites about that rape matter?—A. O, yes, sir, that was well known.

Q. Was not disputed among the whites?—A. Was not disputed, no, sir.

By Mr. MERRIMON:

Q. What white men did you hear talk about it?—A. I do not know that I could call the names. It was a matter that was talked of in Laurens, and I have heard it condemned; but still there was no action taken.

Q. Do you know any of the white men you heard talking about it, and told you it was so?—A. Yes, sir; I talked with a gentleman by the name of Gray about it. It was in his neighborhood.

Q. Where does he live?—A. On the Laurens and Greenville road, about 12 miles north of Laurens.

Q. Are the authorities in Laurens County republican or democratic?—A. They have very little authority there of any kind.

Q. Well, are the officers republican or democratic?—A. Well, sir, I suppose they are republican. They have very little to say about politics, with the exception that there is a trial-justice there, a man that takes no part, but he is holding a commission under Governor Chamberlain, but I understood that he voted the democratic ticket; it was generally understood; and also the county treasurer, a man that I heard talk, who would talk to us one way, and in public he would talk another way; and this Mr. Lark, I understood also that he voted the democratic ticket; at the same time I have heard him express himself as a very strong republican. I know that in traveling through the country he takes his daughters along with him as protection. He is afraid to visit his farm, about twelve or fourteen miles from Laurens.

Q. Is he a white man?—A. Yes, sir.

Q. What is his name?—A. Cullen Lark.

Q. Is he a republican or democrat?—A. I have heard him express himself as a republican. I have always tried to avoid talking politics with him, but he would visit our quarters of an evening; he was living within forty yards of our quarters; and he would come in and spend the evening with us.

Q. Do you not know that Laurens County has been under the control of radicals ever since reconstruction?—A. Yes, sir; I think it has.

THOMAS YOUNG—ABBEVILLE COUNTY.

COLUMBIA, S. C., *January 3, 1877.*

THOMAS YOUNG sworn and examined.

By Mr. MERRIMON :

Q. State your age, your place of residence, your business, and with what political party you affiliate.—A. Laurens, Abbeville County; miller by profession; age thirty-four years.

Q. What party do you belong to?—A. I don't know exactly how to answer that. I voted the democratic ticket in this State at the last election; previous to this I cannot say that I did.

Q. State whether you took any part in the late campaign preceding the election, and, if you say you did, what part you took, and if at any time you organized any club?—A. I did; I organized the Tilden and Hendricks colored club.

Q. How many men were in it?—A. I voted 161.

Q. State whether you employed any force or intimidation to get the men to join it.—A. I did not.

Q. What argument did you use to induce them to join it?—A. I had been in this country for a few years, and from the best I could see I thought it much better for the colored people of this country to be more in with the white people of this country, and not to have so much external strife between the races of this country as was being heaped up by the republicans here in the State of South Carolina. I would explain to them this in that way.

Q. Did they vote the ticket freely when they voted it?—A. They did.

Q. Where did they vote?—A. At Lowndesville.

Q. Were you at Lowndesville on the day of the election?—A. I was.

Q. Did you observe any violence or disturbance there?—A. Not a bit.

Q. State anything you said to the club on the morning of the election.—A. Well, on the morning of the election I asked them to come out in a line, and I made a few remarks, and told them that I was going to vote the democratic ticket, as I thought it was the honest ticket, and the best ticket for us in the State of South Carolina, and I taken it out and gave it to them. Now, says I, any of you that wants any change on this ticket I will make it for you; or, if you want to vote the republican ticket, here, I have got them, take them and vote them. They all declared that they wanted to vote the democratic ticket, and went to the polls and done it.

Q. Did you see any violence at the polls?—A. Not a bit.

Q. Were you there all day?—A. I was there all day.

Q. From the time the polls were opened until they were closed?—A. From the time the polls were opened until they were closed.

Q. If there had been any violence there could you have seen it?—A. Yes, sir.

Q. Did you see any person intimidated?—A. Not one.

Q. Did you see any person driven away from the polls?—A. Not one.

Q. Did you see anybody with arms there on the day of the election, and, if you say you did, who were they?—A. I seen two colored men with shot guns, and I seen some with pistols. Our marshal, Mr. Guffin, had a pistol.

Q. State anything that you saw the United States marshal do toward

the colored democrats?—A. Well, when this club of colored men went up to vote, he came up there and ordered them out; told them they had no right there; and he was interfered with by some gentlemen, and I believe that some one went to lieutenant in command of the United States troops there, and he had a few words with Mr. Guffin, and after that he did not act in such a manner any more.

By Mr. CAMERON:

Q. Who was the marshal?—A. Guffin; I always called him Bert Guffin; I don't know; he signs his name A. H., I think; I am not positive. You will see from his testimony.

By Mr. MERRIMON:

Q. Did you canvass the county any?—A. I was over the county a good deal.

Q. State whether you saw any demonstration, or violence, or display of arms to induce men to vote the democratic ticket.—A. I never did, nor never heard anything of the kind in the speeches of the democrats—

Q. You cannot tell what you heard. State whether at any time you yourself sought to induce colored men to vote the democratic ticket by force or threats.—A. I did not.

Q. State whether, within your own knowledge, anybody else did?—A. They did not.

Q. Do you know any case in which republicans attempted to intimidate colored men when they wanted to vote the democratic ticket, to compel them to vote the republican ticket?—A. Well, no, sir; not of my own personal knowledge.

Q. Do you know anything about the colored militia at Abbeville?—A. They have had a company of colored militia there, armed with Winchester rifles, I think, sir.

Q. Where?—A. At Abbeville.

Q. Do you know who they were?—A. No, sir; I cannot give you the names. I cannot even give you the captain. At the MacDuffee place there was another company. They were armed with Winchester rifles.

Q. I will read you now from what a man, A. H. Guffin, swore to; he says that on November 7th he was sent to Lowndesville as marshal; that on the day of the election, the whites marched seventy-five colored men to the polls in ranks surrounded by the whites, and would not let any others vote until they got through; that they had been locked up the night before; that there was a great amount of persuasion, but no disturbance. Did you see anything of that around there?—A. No, sir; there was nothing of the kind, because those colored men were with me. The reason that we went to the polls in that way was, there was an organized body of republicans went in and voted before us with the marshal, and I thought we had the same right to go in and vote in that manner, and we followed them up. We gave them time to vote, and then we went in and voted.

Q. You say there was no violence there, and that no man was prevented from voting as he wanted to?—A. No man was prevented from voting as he wanted to.

Q. Were there more than seventy-five of your men?—A. Yes, sir; there was probably—I do not know exactly the number, but it was in that neighborhood. They were scattered about, in one place and another.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Where were these seventy-five men during the night preceding the election?—A. They were in the academy, and in the store-house that had been vacated at Lowndesville.

Q. Where were you?—A. I was there—sometimes at one place, and sometimes at another.

Q. Which place did you consider your headquarters?—A. I didn't have any headquarters.

Q. How long were you at the academy?—A. I was there two or three hours.

Q. How long at the store-house?—A. I was there perhaps that long, maybe longer.

Q. Where did you then go?—A. From Mr. Moseley's store I went to bed.

Q. Are you a colored man, and what did you have to do with organizing a colored club?—A. I felt it to be to my interest and the interest of the colored people to get them united with the white people in my own country. As far as I am concerned, I feel as white as any man. I think my complexion would show that very plainly.

Q. I did not understand why you were so active in organizing a colored club?—A. My feelings is good toward the colored people, and if you will go in the country where they know me, you will find that that is the case; you will find that the colored men in that town who are republicans, that their feelings is as kind to me as to any republican.

Q. When did you become a democrat?—A. I cannot say that I ever claimed to belong to any party. I thought that the republican party in this State had become rotten and corrupt. I believe that any party which comes into power in a State or in a general government, after a number of years will become corrupt and will go to destruction; and I thought the republican party were corrupt in this State, and I thought that it was better for the people of this State to have a change of government. You know, when parties come in power they get friendly toward all mankind, and toward the General Government too. I think this State needs it, and therefore I taken an interest in political matters this time, and the only time in my life, to bring about a change in this way.

Before this last election we had kind of a mixed ticket, and this time it was a straight-out republican ticket and a straight-out democratic ticket. There were bad men on both tickets before, and I would always pick out and would vote for the men I thought best fitted. This time I thought the State of South Carolina had a right honest democratic ticket, and I liked the men. As for Governor Hampton, I knew him when I was a boy, and ran with him in the mountains sometimes, and I had a friendly feeling toward him, as being a straightforward and honest man, and a man who would do justice to the colored man as well as the white man.

Q. Who was the president of that colored club?—A. I was, myself.

Q. Who were the other officers?—A. We did not particularly have any; Tom Lomax acted as an officer when we went out to a speaking or demonstration, in that way when I was not present.

Q. Did you go out to attend any political meetings through the country?—A. Yes, sir, frequently.

Q. How did you usually go; on horseback?—A. We went on horseback. The reason I organized this company was this: the republicans

around there, who are ignorant colored people, did not have anything to do with the white folks, and did not go to their political meetings or anything of that kind; and the reason I done this, I wanted to get them out to hear the speaking. I thought that if perhaps they could hear them, that they would change their votes. They did so; and they decided then that the white people here, after they went to these meetings, were as good friends to them as those people that come here for the purpose of making money off of us, both white and colored.

Q. You don't think favorably of a man who comes into the State?—A. Well, I could not say that myself; I am not a native of this State.

Q. You are from North Carolina?—A. Yes, sir.

Q. Did you vote for Chamberlain two years ago?—A. I did; I preferred him to Mr. Green.

Q. When did you come to this State?—A. I have been in this State nine years.

Q. When you went out with that club to attend meetings, you may state whether or not your club were uniformed with red shirts.—A. No, sir; we had yellow shirts. That was merely just for looks, nothing else.

T. C. McMAHAN—OCONEE COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

T. C. McMAHAN sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. About 56.

Q. What is your place of residence?—A. Walhalla.

Q. Your office?—A. Roman Catholic priest.

Q. State to the committee whether you have had occasion to pass about among the people considerably, within the last five or six months, in your section of the State of South Carolina; and, if you say yes, you may tell us what section you have passed through.—A. I have had occasion to pass through five counties, Oconee, Anderson, Abbeville, Greenville, and Spartanburgh.

Q. State whether you saw the white people particularly and the people generally in their public gatherings and in their private intercourse and observed them very generally.—A. I have had ample opportunities to ascertain the disposition of the people in those places during the past exciting election, and, being myself neutral to a great extent in their political affairs, of course I have been able to come to a more mature conclusion in regard to the manner in which this election was being conducted.

Q. Did you see the people at their public meetings?—A. I saw them at public meetings as well as in private conversations.

Q. I ask you whether, in the course of your travels among the people and in your observations at those public meetings, you noticed any demonstrations of violence, intimidation, or ill-will on the part of the whites toward the negro population?—A. I might divide the people of this county, of which I have intimate knowledge, into two classes; that is, the higher and the lower class of white people. The lower class of people they sometimes get drunk and make use of some violent expressions, which is entirely and altogether—has been, at least during the election—completely discountenanced by the respectable portion of

the white people; and, under these circumstances, I have considered that no expressions made use of under the influence of liquor had any effect upon determining the black people to vote one way or the other; and I have been present at elections and other places in the country—for example, when there were very exciting elections—and certainly I must say the forbearance and peaceableness of these people, and the good-will, especially toward the black people, I have never experienced in all my life.

Q. State whether you at any time heard threats of violence or any expressions of parties, particularly white people, to compel the negroes to vote the democratic ticket.—A. Never has such a thing come under my notice during the election, or previous to it.

Q. Can you say that you did not observe these things at their public meetings or in your private relations to the people?—A. Neither in the public meetings nor in my private relations with the people, and as far as my experience went I was mixed up considerable in traveling around in the railroad cars from time to time at public meetings.

Q. Did you vote at the late election?—A. No, I did not vote, because I was quite disinterested, and never could take any part in politics whatever. I never took any part in politics.

Q. State whether any colored person, within your own knowledge, voted the democratic ticket; and, if you say yes, state what you know of his voting and what he applied to you for on any occasion.—A. There were three colored men in my employment on a plantation owned by me, about six miles from my place. I one day rode over there and there was one of them, an old man, Jake, and I asked him if he would not like to have the country progress, would he not like to have the taxes lower, and he said, "Yes." "Well," said I, "in that case you should vote for Hampton. He is a man of honor and integrity, and no doubt he knows the wants of the people here better than any other man that I know of; and you ought to go and vote for him." He said he would, and he did so. He met me after the election and came to me for protection; but I did not hear of any threats that had been made to him; he merely came to me for protection. The other two they were to vote for Hampton on the day of the election, but they were afraid to do so. They stated to me, sir, that they were afraid to do so on account of the other colored people.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY:

Q. You undertook to induce them to vote for Hampton?—A. I undertook to advise them, rather.

Q. Yet you take no part in politics?—A. I take no part whatever in politics.

Q. You are entirely neutral?—A. I am entirely neutral, in fact, and disinterested, with the exception that I have considerable investments made in this State. I have resided here eight years in this State. In the locality where I reside I have made considerable investments, and I am interested so far as this, that I wanted good government, respectable government, and a government that would afford me protection. For example, in the neighborhood where I reside, I find it to be a great grievance—

Q. You need not go on with that. You are an apostle of the church?—A. Yes, sir.

Q. What proportion of your church are democrats, and what proportion are republicans?—A. Well, the members composing my church are not many in these districts as yet; all of them it appears to me are democrats; I think so; I think they voted on that side; in fact I have never asked them, but it appears to me they do.

JAMES KENNEDY—RICHLAND COUNTY.

COLUMBIA, S. C., January 4, 1877.

JAMES KENNEDY sworn and examined.

By Mr. MERRIMON :

Question. What is your age?—Answer. I will be thirty-five on the first day of next April.

Q. Where do you reside?—A. Columbia, S. C.

Q. What is your business?—A. I am at present adjutant-general of the State.

Q. State whether you are here in obedience to a *subpœna duces tecum* to produce certain papers.—A. Yes, sir; I am here in obedience to a summons received from the deputy sergeant-at-arms.

Q. Have you the papers with you?—A. I have some of the papers, not all of them, that the summons calls for.

Q. Why have you not produced all that were called for?—A. Because they were not in the possession of the department.

Q. There are not such papers as are described in the subpœna in your office?—A. The subpœna called for certified copies of all papers, muster-rolls, commissions, &c., existing and in any way appertaining to the organization of a militia company in the city of Hamburg, in the State of South Carolina. Well, I have not got certified copies for the reason that at the time I received this notification it was too short a time. The commissions I have not got copies of for the reason that Dock Adams was not commissioned; although he was elected by the company he was not commissioned by the department for the reasons that I will state to the committee.

Q. Well, go on and state them.—A. The law governing the militia of the State required the roll of the company to be filed with the department before commissions would be issued. There was some delay in furnishing the roll.

Q. Now state that delay; what was it, when was it?—A. Well, sir; that company, I found that it was rather hard to get them to do much writing. Of course the colored men who compose the militia of almost the entire State are not much at writing, and they would prefer, as in several instances they did do, to come to me with a verbal message rather than write a letter. I asked the secretary of the company, Mr. Schiller, why he didn't bring over the roll; and he told me on three different occasions that he had forgotten, but would bring it. The captain of the company, or the colonel of the regiment, Williams, wrote over to me.

Q. Now, give the dates when these things transpired.—A. I don't know that I can give you the dates. I would have preferred, if the committee would allow me, to state the original organization of this company.

Q. Well, sir.—A. Because we are commencing now; we are kind of getting at what is known as the new organization.

Q. The re-organization under the act of what?—A. Under the act approved March 17, 1874; but if the committee wishes I can state in regard to the original organization, and the incorporation of this company under the original organization, and then go on afterward to the re-organization.

Q. I will ask you this question: was a company organized in the city of Hamburg under the militia law before that act of 1874?—A. Yes, sir.

Q. The act of 1874, that you refer to, is amendatory of the militia law in existence at that time?—A. Yes, sir.

Q. Under the act of 1874 it was required that there should be a re-organization of the whole militia of the State?—A. Yes, sir.

Q. And of this Hamburg company as well?—A. Yes, sir.

Q. Now, tell us about that re-organization; let us see the records on that subject.

Mr. CHRISTIANCY. Do you not want the original organization?

Mr. MERRIMON. I do not care about that; the re-organization is the important one; for unless there was a re-organization this company had no longer any existence under the law, did it?

A. No, sir. I would respectfully call the attention of the committee to section 9 of the act of 1874, and if the committee likes I will read it:

SEC. 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the service of the State shall at once re-organize under the provisions of this act by the members signing proper enlistment-rolls, and being mustered into the service of the State as a part of the national guard; and for the purpose of such re-organization sixty men shall be considered the minimum. Such companies not re-organizing as herein provided on or before the first day of January, A. D. 1875, shall be disbanded, and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all arms, accouterments, or other military property belonging to the State in the possession of such company; and any member thereof who shall refuse or neglect to deliver the same shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding one hundred dollars nor less than ten dollars, or by imprisonment not exceeding thirty days. And the said property, wherever found, may be taken possession of by the commanding officer of such regiment, or by any officer or soldier acting under his orders: *Provided*, The general commanding the division to which company or companies may be attached shall have power to extend the time for the re-organization herein required upon the recommendation of the regimental commander.

Q. What is the date of that act?—A. It is approved March 17, 1874. Well, this company re-organized in April, 1875.

Q. In April, 1875?—A. Yes, sir; the proviso there gave the general of division the privilege of extending the time for re-organization. Here, sir, is the original (as I had no time to make a copy) roll of Dock Adams's company.

Q. Under the first organization?—A. It is under the organization of 1874, not under the first organization—the organization that you are speaking of now.

By Mr. CHRISTIANCY:

Q. This is under the re-organization?—A. Under the re-organization.

By Mr. MERRIMON:

Q. This has no date to it?—A. You see the date of enlistment was April 5, 1875.

Q. April 5, 1876, it is.—A. Yes, sir; April 5, 1876.

Q. This is the muster-roll as furnished by that company?—A. Yes, sir.

Q. And it bears date April 5, 1876?—A. Yes, sir.

Q. How many names are on this muster-roll?—A. There ought to be at least sixty names to comply with the act.

Q. How many names are on that muster-roll? [Handing roll to witness.]—A. Eighty-four names.

Q. Eighty-four names on the muster-roll; see if you are not mistaken.—A. There are forty-two names in each column, and that would be eighty-four men.

Q. When was that paper filed in your office?—A. Well, sir, I cannot state exactly the day.

Q. Well, state as near as you can.—A. I think, sir, it was filed about the beginning of August last.

Q. Who filed it there?—A. I think the captain of the company, or the secretary, Mr. Schiller; either of them.

Q. Who was the captain of the company?—A. Dock Adams.

Q. Is he a colored man?—A. Yes, sir.

Q. Who is the secretary of the company?—A. Louis Schiller.

Q. He is a white man?—A. He is a white man.

Q. And it was filed about the first of August?—A. It was filed about the first of August.

Q. Have you any data in your office by which you can determine the exact date of the filing of that muster-roll?—A. I have not, sir.

Q. Do you not make some note in your office of the time when such papers are filed?—A. We do generally. I mark on the roll the date of its being received; but I see in this case there is no mark.

Q. Why was it not done?—A. The matter has been overlooked; that is the only way I can account for it.

Q. It was overlooked?—A. That is the only way I can account for it.

Q. What paper have you in your hand?—A. This is a communication from the colonel of the regiment, Williams, and I merely submit that to show the usual way of receiving papers. [Handing a paper to Senator Merrimon.]

Q. That muster-roll came to your office about the date of this letter?—A. My recollection is that it came about the 1st of August. I would also state that at that time I was not adjutant-general; I was clerk in the office. I have been adjutant-general only since the 7th of last month.

Q. Did this man Williams, the colonel of a regiment in the neighborhood of Hamburg, send you that muster-roll?—A. He did not send it to me; it was sent to the department.

Q. Well, who sent it?—A. I cannot remember distinctly; it was either Williams or Adams or this man Schiller. My recollection is not distinct enough to say who sent it, but it was one of those three men.

Q. It came into the office?—A. Yes, sir.

Q. And you put no date on it?—A. I observe that——

Q. The regular course of business is that the date would be on it?—A. Yes, sir.

Q. There is no date in this case.—A. There is no date in this case; it is my recollection that it came about that time.

Q. When did you say this company was organized?—A. It was organized, according to this roll, in April last.

Q. That bears date of what?—A. The date of enlistment is April 5, 1876.

Q. Do you know otherwise than by that paper; do you know whether that paper had any existence anterior to the 1st of August?—A. I do not know it officially; I knew it in this way: I knew from the secretary

that he had been there; and three several times he was over previous to the roll coming.

Q. Don't tell what the secretary told you; I don't want to know anything he told you. I want to know what you know of your own knowledge. Had the adjutant-general's office any knowledge of the re-organization of this company until that military roll was filed?—A. Yes, sir; we had knowledge of it, because we knew that all the companies were re-organizing.

Q. I will ask you if the adjutant-general's office could take any cognizance of its re-organization except in an official way?—A. Of course not. We did not have any official knowledge of it until we got this roll, of course; but we knew that re-organization was going on in this company, the same as others, though we had no official knowledge at all.

Q. Didn't the law require that to be filed?—A. Yes, sir.

Q. And it was not filed until August?—A. It was not filed until August, through the negligence of the officers, although it was re-organized.

Q. You did not know that of your own knowledge?—A. No, sir.

Q. You do not know when they re-organized of your own knowledge?—A. No, sir.

Q. As to when they re-organized, you don't know anything about that of your own knowledge?—A. No, sir.

Q. Whether that was trumped up after the riot at Hamburg for the purpose of filing that paper in the adjutant-general's office or whether their names were really put on as of date mentioned in it, you don't know of your own knowledge?—A. I could only know in this way, that I furnished the blanks.

Q. You furnished the blanks to all the companies?—A. I furnished them to all the companies.

Q. But what this company did you do not know?—A. No, sir; not officially.

Q. Whether they re-organized before that time or not, you do not know?—A. I do not know, sir; this is all the evidence I have of it, of course, officially.

Q. Have commissions ever been issued to the officers of the company that that purports to be a muster-roll of?—A. Yes, sir; they have, with the exception of this Dock Adams; when he was elected he was not commissioned, because the commission could not be issued until the roll was forwarded.

Q. Well, when was he commissioned?—A. He hasn't been commissioned at all.

Q. Has he ever been commissioned?—A. No, sir.

Q. Had no commission?—A. No, sir.

Q. Has no commission to day?—A. No, sir.

Q. Were any of his officers commissioned?—A. Yes, sir.

Q. Which officer?—A. Cartledge and Coleman.

Q. Were they commissioned after the re-organization or before?—A. Before the re-organization; those commissions we gave them held over.

Q. I want to ask you this: Has any commission issued to any officer of Dock Adams's company, as it is commonly called, since the re-organization of that company?—A. No, sir.

Q. None has issued?—A. None has issued.

Q. You have made due search in your office for it, and you could find none?—A. Yes, sir; but it was not necessary.

Q. That is a matter of law; we do not care to examine you about

that. I ask you, further, whether any commissions were ever issued to Dock Adams or any of the officers of his company since the filing of that muster-roll that you now place before the committee?—A. No, sir.

Q. I ask you whether there is any official paper in the office showing that the time of re-organizing the company had been extended?—A. No, sir.

Q. That statute required that re-organization should take place by the 1st of January, 1875, and if it took place after that time it must have been done by the consent of the colonel?—A. Of the major-general of that division.

Q. Is there any paper on file in your office which extends the time for the re-organization of the company commonly called "Dock Adams's company"?—A. There is not; because it was not necessary; it was discretionary with the major-general commanding, and there was no law to command him to file such a paper in the adjutant-general's office.

Q. Now, the question I ask you, Mr. Adjutant-General, is this, whether there is any paper, signed by the general commanding the division, which embraces this company or what purports to be the company of Dock Adams, on file in your office?—A. No, sir.

Q. I ask you whether there is any paper, signed by him, recommended to him by the colonel commanding the regiment to which that company would naturally belong, if it had an existence legally, on file in your office?—A. There is no paper, from the major-general commanding, granting such extension.

Q. Is there any paper in your office at all that shows the re-organization of that company, except the muster-roll you have exhibited to this committee?—A. That is all, sir.

CROSS-EXAMINATION.

By Mr. CAMERON :

Q. You may give us, as far as you are able, a history of this company from its first organization down to the present time.

Mr. MERRIMON. State what is within your knowledge and not hearsay.

Mr. CAMERON. State what you have official knowledge of.—A. I would state that I have been employed as clerk in the adjutant-general's office since the 10th day of January, 1870. I will state what came under my observation from that time, to the best of my knowledge. This company was organized as Company A, of the Ninth Regiment of National Guards, commanded by P. R. Rivers as captain. That company was afterward incorporated—

By Mr. MERRIMON :

Q. Do the records show this?—A. Yes, sir.

Mr. MERRIMON. This witness should not be allowed to speak of facts that are embodied in records.

Mr. CAMERON. We will attach the record. Go on, Mr. Kennedy.

The WITNESS. This company was afterwards incorporated by act of the legislature, approved March 1, 1872, as the "Rivers Guards" of Hamburg, S. C. Then Captain Rivers was promoted to lieutenant-colonel of the Ninth Regiment, and John Williams succeeded him as captain of Company A. Afterwards the lieutenant-colonel was promoted to major-general of the third division, and John Williams was then promoted to colonel of the new regiment, of which this company, A, of the Ninth Regiment was to form a part or company of a new regiment.

By Mr. CHRISTIANCY :

Q. The new regiment was numbered what?—A. Number 18 of the National Guards. About this time this re-organization was called for, and there was an election held in the company, and this man Dock Adams—I would observe, sir, before going any further, that there were two lieutenants of the company, Lewis Cartledge, first lieutenant, and James Coleman, second lieutenant. They were appointed on—or the date of appointment bears record here in the office of November 19, but running from November 1.

Q. Of what year?—A. 1873; and that the reason why this man Dock Adams didn't bear a commission was, as I have stated, owing to the carelessness of, probably, the colonel or himself, in not forwarding this re-organized roll. I was aware from hearsay—

Mr. MERRIMON. I object to this hearsay.

By Mr. CAMERON :

Q. You need not state what you learned from hearsay.—A. But I will state that applications had been made to me previous to this Hamburg riot—had been made to the department rather, not to me, as I was only a clerk—for the commissions of these men.

Q. Of what men?—A. For the commission of Dock Adams only, because the other men held over on their old commissions. I always replied that no commission could be issued until we had the roll here; and that is the reason why this man Dock Adams didn't hold a commission. He was recognized by the colonel of the regiment.

By Mr. MERRIMON :

Q. Do you know that of your own knowledge?—A. I know it of my own knowledge; he was recognized by the colonel, because the colonel spoke of him to me as captain.

Q. Do not speak of what the colonel said; he can prove that himself.—A. The official records of my office show that this company was furnished with arms in 1870—with eighty stand of arms; I don't know exactly the amount of ammunition, but not exceeding two or three thousand rounds, to the best of my knowledge. Since that time no ammunition has been issued that I remember of. I am pretty sure there has been none issued. The reason why ammunition was issued was for target-practice, which generally would take place on emancipation day, on which the company paraded, and on the Fourth of July, and on days like that.

By Mr. CAMERON :

Q. You may state why the commissions were not issued to the two lieutenants whose names you have given.—A. From the simple fact that it was not necessary to issue them commissions; they held all commissions from '73; they held over.

Q. That is, the department so decided, that it was not necessary to issue new commissions?—A. They so decided, that it was not necessary to issue new commissions.

Q. That they held over under the old commissions?—A. That they held over under the old commissions. It wasn't necessary to issue commissions to the officers who held over, because it was the rule of the department that this law re-organizing the militia of the State didn't affect the commissions of the commissioned officers—that it only related to the enlisted men; and that is why there was never any attempt made to re-issue commissions to Lieutenant Cartledge or Lieutenant Coleman, because it was deemed unnecessary.

Q. Why has not a commission been issued to Dock Adams?—A. A commission would have been issued had the roll been forwarded in time enough, but the delay in forwarding the roll, although they stated that they had it in their possession down there, and everything ready—I asked them why they didn't forward it, and it was always a matter of forgetfulness on their part. The colonel of the regiment, Mr. Williams, when he came to me and asked me, I told him the very same thing. He said, "Well, the secretary has the roll in his possession; I don't see why he don't send it over. When I go home I will see that he attends to it at once." The secretary came over on two or three occasions, and I asked him had he the roll with him, and he said he had not.

Q. That was prior to the Hamburg riot?—A. Yes, sir.

By Mr. CHRISTIANCY :

Q. Do you know the fact that the colonel of the regiment recognized this company and the officers in it?—A. I do, sir, from conversations with him.

Mr. MERRIMON. I object to an answer of that kind unless it is within your personal knowledge.

The WITNESS. I know from my own personal knowledge that they all recognized him, from conversations.

Q. How, in your personal knowledge?—A. From conversation with those officers, for instance.

Q. With the officers?—A. With the officers themselves.

Q. You know it by what the officers told you?—A. They told me.

Q. There is no official record in the office of that fact?—A. Unfortunately, sir, the element that constitutes our militia here doesn't take to putting everything in writing that they do, and it is, as it was in this case, more by personal conversation than otherwise that we—

Mr. MERRIMON. I object to the witness answering the question as long as the facts are not within his knowledge, and I insist that it is not competent for him to state what Williams told him.

Mr. CHRISTIANCY. Well, go on and state what facts you know of his recognition of the company or the officers.—A. In conversations held when the colonel came over to the department to inquire—

By Mr. MERRIMON :

Q. Fix the time now.—A. From a month to six weeks prior to the Hamburg riot, if that is competent. Also, after the Hamburg riot occurred I was detailed by the then adjutant-general, my predecessor, to go over to Hamburg with him to investigate matters there. The major-general commanding the division was the coroner and trial-justice of the peace. In my conversation with him, asking about this riot—

Mr. CHRISTIANCY. That we will not insist on having.

By Mr. CAMERON :

Q. But the conversation you had with Williams in reference to this company prior to the Hamburg riot you can state.—A. He used to come over and ask about the commissions of these men.

By Mr. CHRISTIANCY :

Q. Came to the adjutant-general's office?—A. He came to the adjutant-general's office and asked about the commissions of his men, and about other matters pertaining to the company that I cannot exactly call to mind now.

Q. Did he state who the officers of the company were?—A. Dock

Adams, Lewis Cartledge, and James Coleman; captain and first and second lieutenants of the company.

Q. That was some month or six weeks— A. Six weeks prior to the Hamburg riot.

Q. Did he ask if anything could be done; was he urging to have the commissions issued, or something of that kind?—A. He was urging the commission to be issued for Dock Adams, and also asking if probably more arms could be issued to the company; if we didn't have more arms to issue to the company, or something of that kind.

Q. There were not arms enough for the whole company, then, he claimed?—A. He had eighty stand of arms, but he said that he could have more men if he had more arms.

By Mr. MERRIMON:

Q. Look at that paper and see if it belongs to your office. [Handing letter to witness.]—A. Yes, sir; it belongs to the office.

Q. I will ask you to make a certified copy of it and file it with your testimony.—A. Yes, sir; I will do so.

Q. You say that the adjutant-general ruled that it was not necessary to issue commissions to officers under the re-organization of the militia under the act approved March 17, 1874?—A. I say it was the ruling of the Department.

Q. Was any paper filed in the office or any record made of that ruling?—A. No, sir.

Q. None at all?—A. Not as I know of.

Q. I understand you to say that there is no ruling on file in your office, nor any entry made of any such ruling by the adjutant-general?—A. No, sir.

Q. It is a mere verbal ruling made by him as occasion might require?—A. I do not say that, "as occasion might require."

Q. Well, what evidence was there in the office for the information of the subordinates of the office or his successors that he did so rule?—A. Just from the—

Q. How did you get that; by tradition?—A. Not exactly by tradition. I would take it, if I went in as a new hand there, from the wording of the militia law itself.

Q. I don't ask you about your knowledge of the statute; I am asking you about facts. I ask you, if you never had been in that office, you being the successor of the late adjutant-general, whether you would know of his rulings; if there is anything there to show that he made such a ruling?—A. Nothing, except looking over the record to see what had been done preceding me.

Q. You do not answer my question. I ask you if there is anything on record there by which his successors could see his ruling upon that question?—A. I cannot answer that.

Q. You can answer me whether that ruling was put in the shape of a record at all?—A. It may have been in this way: that in looking over the files of the office and taking one record in connection with another he could see it in that way; but there is nothing specific on that point on record that this ruling is so and so and so and so on that point.

Q. There is no ruling entered of record to the effect that you have mentioned?—A. None upon that point.

Q. In the re-organization of the militia, who elects the officers, or how are they appointed?—A. They are elected by the company themselves and appointed by the commander-in-chief.

Q. They are elected by the company and then they are commissioned by the commander-in-chief?—A. Yes, sir.

Q. Who is the governor, under your constitution?—A. Who is the governor, under our constitution.

Q. Was it necessary to elect officers under this re-organization?—A. It was, because there was a vacancy occasioned by the promotion of Williams from the captaincy of the company to the colonelcy of the regiment.

Q. But when they signed the muster-roll which was exhibited to this committee was it necessary or did they have a right on the re-organization to elect officers of the company?—A. They had no right to elect any but where a vacancy occurred. The commissions of the other officers of the company held over.

Q. Did they elect other officers besides Adams?—A. I do not know that.

Q. Would they have had the right to elect them?—A. They had not.

Q. They were bound to take the first lieutenant and second lieutenant as they came from the old organization?—A. As they came from the old organization; that is my understanding.

Q. Is that the law?—A. Well, if it is not the law it is the rule upon which we have been acting. I will not swear positively it is the law; but if it is not the law, it is the rule we have been acting under all the time.

By Mr. CHRISTIANCY :

Q. And you understood it to be the law?—A. I understood it to be the law.

By Mr. MERRIMON :

Q. When was ammunition issued to these re-organized companies?—A. Do you mean to this company?

Q. Yes, to this company?—A. There has been no ammunition issued to this company within my knowledge or understanding since 1870.

Q. Is there any record in your office that will show when ammunition was issued?—A. There is not.

Q. Have you searched to see?—A. I have; I have searched, but I confess in consequence of the shortness of my summons my search was not as minute as it possibly could have been; but I will say, from my recollection, there has been no ammunition issued to that company since 1870.

Q. Have you heard of what is commonly called the Combahee riots in this State?—A. Yes, sir; I have heard of them.

Q. Were not arms and ammunition issued to the negroes down there pending that riot, immediately before or immediately after, or while it was going on?—A. Well, I would ask you to state to me, if you will be kind enough to do so, the particular date of that Combahee riot before I can answer that question.

By Mr. CHRISTIANCY :

Q. You do not know the date?—A. I do not know the date; I remember the time. In order to answer that question it will be necessary for me to get the exact date of that Combahee riot.

By Mr. MERRIMON :

Q. Give the dates when arms and ammunition were issued to that militia company there, or to any negroes there, whether they were militia or otherwise, and we can fix the date some other way.—A. There were no arms issued, because they already had the arms in the possession of the regiment; but there were, some time in October, 6,000

cartridges issued and sent down there, which, however, never reached there, and are now at the depot at Charleston.

Q. Do you know that of your own knowledge?—A. Yes, sir; I know it of my own knowledge; and I know it in this way: I know I brought down the ammunition to the depot and shipped it to Charleston, and I know that I have a letter, under date probably of December 22, from Mr. McGraw, president of the South Carolina Railroad, stating that the ammunition was there and had not been called for.

Q. What time did you ship that ammunition?—A. Some time in October.

Q. What time in October?—A. Some time about the 7th; I will not be positive about the date, but it was in the beginning of October, anyhow. I can't state exactly without going to the record.

Q. How much ammunition did you send down?—A. I sent down six thousand cartridges.

Q. Where was it going?—A. It was addressed to Captain Hendricks, chief of police, Charleston.

Q. For what purpose?—A. For the purpose of being transferred by him to General Smalls, major-general commanding that division of the militia.

Q. Would that embrace the Combahee country?—A. Yes, sir; Smalls' division would.

Q. That would embrace the Combahee country?—A. Yes, sir.

Q. Did you send any arms?—A. No, sir.

Q. Have you issued any arms to that division?—A. No; I have not.

Q. When did you issue the last arms to it?—A. The last arms were issued to that division in 1870.

Q. You have sent none since?—A. Not to my recollection.

Q. Did you send any arms to Mr. Hendricks, chief of police at Charleston?—A. Yes, sir; they were sent for the use of the police.

Q. When did you send them?—A. Some time in October. I didn't send them; they were sent as surplus arms from the penitentiary—thirty stand.

Q. They were sent to Hendricks?—A. To Hendricks, chief of police, at Charleston. There were riots anticipated there about that time.

Q. Riots anticipated?—A. Riots anticipated or going on, I don't know which. I will qualify my remarks by saying that.

Q. Why did you anticipate riots there?—A. There had been one riot before; a riot in September.

Q. And these guns were shipped there after that riot in September?—A. They were shipped down there in October, sometime, to the best of my recollection.

Q. Can you fix the exact time when they were shipped?—A. I cannot.

Q. Is there any record in the adjutant-general's office to show?—A. O, yes, sir; I have records about that, too.

Q. Where else did you ship arms during the fall, to what other points, and ammunition, or either?—A. I would want the whole record of the department here to answer all those questions, in order to answer them definitely.

Q. Well, I want it all if it takes all winter to get it out on that line. I want to know what arms have been issued since March last up to the 1st of January, eighteen hundred and seventy-seven, and the amount of ammunition issued, to whom issued, and the dates and copies of the applications.

Mr. CAMERON. State also, Mr. Kennedy, upon what applications they were issued, and for what purpose.

By Mr. CHRISTIANCY :

Q. I wish to know whether it is customary—has been since you have been in that office—for the adjutant-general, when a law was passed by the legislature and he reads that law, to give an opinion upon every question that can arise under it and to put it in on file? A certain man is adjutant-general before you—what was his name?—A. Purvis.

Q. Very well; now the legislature passes an act while he is there, or even before; no question arises, no dispute as to a point of law, or contest between officers, or anything of that kind; is it customary for him to take up a law or every law relating to the duties of his office upon every question that can arise upon it when nobody asks it?—A. No, sir; nothing of the kind has been asked or done.

Q. Has any dispute arisen in the office; has anybody claimed that those old officers of the companies, for instance, did not hold over on re-organization?—A. No dispute whatever, sir, no question.

Q. Well, then, no occasion has ever arisen for having any written determination of a question which never arose?—A. No, sir.

LIEUT. FRANK H. BARNHARDT—RICHLAND COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

FRANK H. BARNHARDT sworn and examined.

By Mr. CAMERON :

Question. What is your military rank?—Answer. Second lieutenant, Eighteenth United States Infantry.

Q. In what company?—A. I am attached to Company F at present.

Q. Where are you stationed?—A. At Columbia, S. C.; in this city.

Q. How long have you been stationed in the State of South Carolina; since what time?—A. Well, I have been stationed here since May, 1871. I don't know the exact date. I have been away during that time.

Q. Where have you been stationed since about the first of July last?—A. I have been stationed at Aiken, S. C., at Hamburg, and Abbeville.

Q. Now, you may go on and state any facts that come within your personal observation, going to show the feeling between the two races, the white and the colored, and also any acts that were done having reference to the election or the political canvass in this State, or any intimidation on the part of the whites or the colored. Tell your story in your own way.

Mr. MERRIMON. And speak, lieutenant, of what comes within your knowledge, and not what you have heard.

The WITNESS. Well, I would sooner be interrogated directly upon any point. There are a great many things I do not remember. I presume the committee has heard the same things from other witnesses, where if they would ask me the questions directly I would remember better.

Q. (By Mr. CAMERON.) Perhaps it will be necessary for me to go backward. I will ask you where you were on the day of election?—A. Well, on the day of election I was at a place called Calhoun's Mills, in Abbeville County.

Q. How many men did you have under your command there at that time?—A. Ten.

Q. When did you go to Calhoun's Mills?—A. I left Abbeville Court-House on the 5th of November, (I believe was the date,) and remained there till the 9th.

Q. Remained at Calhoun's Mills until the 9th?—A. Yes, sir.

Q. Now you may state, if you please, what occurred at Calhoun's Mills the night or the day prior to the election; also on the day of election.—A. Well, there was nothing came under my observation at all prior to the election. On the day of election there was a row between a deputy United States marshal and some men from Georgia—at least one man from Georgia, because I knew the man. All I saw of that affair was, I saw this man throwing rocks at him.

Q. This man from Georgia threw rocks at the deputy United States marshal?—A. Yes, sir.

Q. What was the name of the marshal?—A. His name was Heard; I don't remember his first name.

Q. What was the name of the man from Georgia?—A. Henry Vickers.

Q. You may state what occurred there.—A. After he got through rocking him—it seems he couldn't find rocks enough, and he started to draw a pistol, and a number—I don't think a pistol was fully drawn, but they made the motion. As soon as I saw that I raised up my hand and hollered for them to stop, and everything became quiet again.

Q. How far was that from the voting-place?—A. Well, they started it right at the voting-place—at least that is the place that I had seen him in last before I saw him running away when this man was after him. I don't know whether this fuss started right at this place that I had seen him at, but I noticed he was right close by the polls prior to this row, and when I next saw him he was running and this man was after him, and he was running around in the rear of the polling-place at the time I saw him.

Q. You may state whom you saw making the motion as though they were going to draw pistols.—A. I could not—

Q. I mean whether they were white or colored.—A. O, they were white men.

Q. Well, anything else?—A. That was about the only disturbance that took place that came under my observation.

Q. You may state whether or not the whites at Calhoun's Mills on the day of election were uniformed in any way; whether they wore red shirts or a uniform of that kind, or whether any of them did, and, if so, what proportion of them.—A. I would not say positively that they were uniformed. I couldn't say that, probably because I do not remember. There were a great many men there at different times, but I don't remember whether any of them wore a uniform.

Q. Did you hear what was said by any of the parties who were engaged in the row that you have spoken of, immediately before the row or at the time it was going on?—A. No, sir.

By Mr. CHRISTIANCY:

Q. Or during the time it was going on?—A. I didn't hear anything said, that I remember. There was a good deal of confusion there while it was going on. There may have been something said, but I don't recollect anything about it.

Q. Did the whites seem to take sides on one side and the colored people on the other, or anything of that kind?—A. There was no other colored man but this deputy United States marshal concerned in it that I saw.

By Mr. CAMERON:

Q. How many whites seemed to be taking an interest in it?—A. There must have been one hundred there, but they didn't all seem to take interest in it; there were, perhaps, a dozen or fifteen right around where it occurred that I noticed who were just in the act, as it appeared to me, of drawing pistols, and that is all they did; and I stopped them right off; as quick as I spoke the whole thing became quiet again.

Q. Did you see the whites as they came into Calhoun Mills that day? I want to ascertain whether they came in apparently in companies or not.—A. O, yes, sir; they came in in bodies. There were smaller parties, perhaps five or six; but those that appeared to come from a distance were generally larger.

Q. How long were you stationed at Abbeville Court-House?—A. I was stationed there probably six weeks or more; I don't remember the exact date when I went there.

Q. Were you there on the day that there was a republican meeting the night before Governor Chamberlain was there?—A. No, sir; I was not at that meeting; I was at a republican meeting there, but Governor Chamberlain was not a speaker at that time.

Q. Do you know who the republican speakers were on that day?—A. I remember some of them; one was Mr. Carpenter, Mr. Tolbert, and Mr. Taft, from Charleston, and some others; I don't remember—some colored speakers.

Q. Where were you on that day; with reference to the meeting, I mean?—A. There were two meetings; there was a democratic meeting as well as a republican meeting going on, but they were a mile or so apart. I was at both places. I had a horse, and I had orders to go and observe what was going on at those meetings, and I just went backward and forward between the two places.

Q. Did you observe anything special on that day?—A. No, sir. Well, of course, there was a good deal of boisterousness, but there was nothing but what you will find in any meeting.

Q. Do you remember who the speakers were at the democratic meeting?—A. I remember some of them; I remember General McGowan, Mr. Hemphill, and some others I have forgotten. I remember these two because I happened to be on the ground at the time they were speaking.

Q. Did you make any journey through the country in the vicinity of Abbeville while you were there?—A. No, sir.

Q. You remained in town?—A. Generally, I remained in town.

Q. When were you stationed at Hamburg?—A. I was stationed there in August; I was only there for ten days.

Q. That was after the riot?—A. Yes, sir.

Q. Did anything special occur there while you were there?—A. I saw nothing; I didn't see any row or anything of that kind. There was a good deal of alarm there, and I investigated several cases, but I couldn't discover anything. A party of men, about forty in number, I expect, colored men armed with guns, rushed into my camp one night and said they were coming for them and they came for protection, and I took their guns and walked down to the village myself and staid there an hour or so, and nobody was there and everything just as quiet as it could be; and I went back and told them that I thought there was no danger and I thought they had better take their guns and go home, and they went back and I didn't hear any more of it. But there were continually rumors of something; some drunken men on horse-back would come in from the country and would say that the fellows was going for them that night, or something of that kind, and that was

the last of the rumor I presume. But there was no riot while I was there.

Q. When were you at Aiken?—A. I was there from the 26th of July until about the 20th of August, when I went to Hamburg. I believe it was about the 30th of August when I went to Hamburg.

Mr. CHRISTIANCY. That is all, Mr. Merrimon, that we wish to ask the witness.

Mr. MERRIMON. I do not care to examine Lieutenant Barnhart.

J. M. ENGLISH—RICHLAND COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

J. M. ENGLISH sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Twenty-four; will be twenty-five the 15th of next May.

Q. What is your place of residence?—A. This city; or rather my grandmother lives here, and I have been between here and my plantation on the Wateree.

Q. What is your business?—A. My business for the last two or three years has been part of the time associated with my brother in a mercantile enterprise at the plantation, and other portions of the time attending to the business of my mother.

Q. Where were you on the day of the late election in this city?—A. I was at Garner's precinct, on the Wateree River.

Q. How long were you there?—A. During the day. I had been up to Columbia for about a week or such matter, perhaps three or four days; I don't remember particularly.

By Mr. CHRISTIANCY:

Q. In what county is that?—A. Richland County. I reached the polls on the morning of the election directly after the polls opened. It was a very cloudy, damp morning, and the polls were late in getting open. The polls had been opened about fifteen or twenty minutes before I reached there, but they were regularly opened in the presence of the democratic manager for that precinct.

By Mr. MERRIMON:

Q. Well, did you see any other officer there except that democratic manager?—A. The democratic and republican managers. No voters had appeared when I got there that I noticed on either side.

Q. State anything that you observed during that day calculated to intimidate colored voters who were disposed to vote the democratic ticket. Did you see anything that looked like interference on the part of the marshal there? Who was the marshal?—A. One Lomax; I don't know his initials. He has been on the police-force in this city. He had been discharged a short time before.

Q. Was he a white man or a black man?—A. A man of mixed blood. I was in conversation with a colored man, who had avowed himself two weeks previous, in conversation with me and several white men, as wishing to vote the democratic ticket, but was somewhat afraid to do so. I was engaged in friendly conversation with him, and in a friendly manner says I, "John, old fellow, if you want to do the right thing, if you

want to vote for your interests as I have showed them to you, go and vote the democratic ticket; if not, you can go and do as you choose." The marshal spoke up and said, "No intimidation of voters." I told him that such was not my purpose; that I knew what intimidation was, and proposed to him to question the man, and ask him if I had said anything wrong to him in any way whatever.

Q. What did you say to him?—A. I cannot exactly say what I said to him in words, but in substance I pointed out to him the ill-effect of radical administration in this State, and the depression of wages and the general scarcity of money, and showed him by different lines of argument that it was owing mainly to radical maladministration.

Q. Did the man vote?—A. I met the man afterward, and he said he voted the republican ticket because he was afraid to vote the democratic ticket.

By Mr. CHRISTIANCY :

Q. How do you know that?—A. Because he had avowed himself a democrat at a meeting at Zion Hill school-house, where the two parties had met and discussed matters generally. He had avowed himself a democrat there, and rode with me back to the plantation in my buggy; and at several subsequent conversations had avowed himself a democrat; and upon coming there that morning, after seeing the boisterous way in which the marshal was stepping about with a great long badge on the lapel of his coat, labeled U. S. marshal, and seemed to have entire command of the crowd——

By Mr. MERRIMON :

Q. Go on and tell something that was done.—A. The next thing I noticed that seemed to me out of the way on the part of the marshal was there was three colored men, by the name of John Ferguson, Henry, Crosby, and another—I don't remember his name—who were coming up with democratic tickets to deposit in the box; they were friends of Mr. William H. Brown, a white man; they were coming up there in charge of Mr. Brown, who had furnished them with their tickets. They, knowing him to be a democrat, had relied upon him to give them the tickets that they wanted to vote. In going through the crowd Mr. Brown was separated from them until they got immediately at the polls; and upon reaching that place, one of the darkies that were accustomed to be about the polls says, "Boys, now let me see your tickets, and see if you have not got the wrong ticket." They started to hand them to him, and up steps Mr. Lomax, and says, "Don't you show your tickets; you have no right to look at a man's ticket." I stepped out and says, "John, you know me to be a democrat; do you want me to look at your ticket?" and he said, "Yes;" and he handed it to me. I took it; and lo and behold! there was a full republican ticket, and I gave him a democratic ticket, and said, "Here is the democratic ticket, that you wish to deposit."

By Mr. CHRISTIANCY :

Q. And they did so, did they not?—A. They did so.

By Mr. MERRIMON :

Q. What else did that marshal do?—A. Subsequently, during the course of the day, I don't remember the lapse of time, perhaps an hour or an hour and a half, a man came round to the polls——

By Mr. CHRISTIANCY :

Q. A white man or a colored man?—A. A colored man came to the polls, George Evans by name. I asked him, said I, "George,"—know-

ing the tricks that had been practiced before—"have you got the ticket that you want to vote?" He was a man that belonged to my father, and was on friendly terms with me, an old family servant, and he had avowed himself a democrat and as wishing to vote the democratic ticket; and I asked him if he had got the ticket he wanted to vote, and he said, "I don't know, Massa Joe, look at it;" and he took the ticket and started to hand it up to me, and the United States marshal steps up and says, "Don't you show that ticket; put that in; don't you show that ticket," and stood with his hand upon his shoulder for a second or two, and finally he went on and put the ticket in. I said, "All right." Subsequently when voters came in I asked the marshal if they could put the tickets in or not, and if it was his will they could put them in and go on; if not they had to stand aside.

By Mr. MERRIMON:

Q. Is that all you know about that?—A. I left that poll about three o'clock. At that time the great body of voters had deposited their ballots. There might have been twenty-five or thirty more who had not voted. I don't know of anything that happened subsequently, and heard nothing farther.

Q. I ask you whether by threats or violence you sought to induce colored men to vote the democratic ticket?—A. I never did. I preached to them day and night from the time that Hampton took the field until the day of the election, and did nothing else, because I did not believe in the policy of intimidation.

Q. How did you get them to vote the democratic ticket?—A. Mainly by showing to them the evil effects of radical administration heretofore, since the war, in this State, and by the general depression in wages. I showed them in the matter of taxes that—

By Mr. CHRISTIANCY:

Q. You need not go on to tell what you showed them.—A. Yes, sir.

By Mr. MERRIMON:

Q. Did you participate largely in the campaign?—A. Well, I don't know that I participated largely; I was working every day, and endeavoring by all possible means to induce them to vote the democratic ticket, white and black.

Q. Did you see and talk much with the people through your county?—A. I did. I made a couple of speeches, the first that I ever made in my life.

Q. I ask you whether it is within your knowledge that anybody else attempted to induce the negroes to vote the democratic ticket by violence or threats?—A. It is not within my knowledge.

Q. State whether you have any knowledge of any purpose on the part of the democratic party to force them to vote the democratic ticket?—A. So far as I know, sir, it was the avowed purpose of General Hampton to induce the colored people to vote the democratic ticket by peaceful means, by argument, and I think his policy reflected that of the whole body of respectable democrats. Of course, there were exceptions; I cannot vouch for them.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY:

Q. So far as you know?—A. Yes, sir.

Q. The first man that you spoke of—whom you say meant to vote the democratic ticket, that is, he had promised to vote the democratic ticket—

you say voted the republican ticket. I would like to know how you knew he voted the republican ticket?—A. Because he said so afterward.

Q. You did not know it in any other way yourself?—A. No, sir; I simply knew it from his word, and I suppose that was sufficient to establish the fact.

Q. I wish to inquire of you now whether, among other arguments that you used to induce the colored people to vote, you did not make use of this argument: if they voted the republican ticket or the radical ticket, as it is called here, I believe, that they would not be employed by the democrats?—A. I was employing none, sir, myself.

Q. That is not an answer to the question. I ask you whether you did not make use of the argument, that if they voted the radical ticket the democrats would not employ them?—A. I told them this, nothing else: My father and grandmother owned plantations in the vicinity, and told them that those who voted for our interests would of course be better protected than those who voted against them. I told them, for instance, that the democrats would have the preference in the bestowing of favors, such as the purchasing of mules for them; and I used the argument that if they voted against us they would vote to inaugurate a set of men who had been robbing us, and who had nearly sucked the last drop of blood from our veins; that they actually could not expect us to do for them the favors that we did for those who stood up for us and tried to help us. That was the line of argument I pursued.

Q. How many colored people had you on your plantation?—A. Voters do you mean?

Q. Yes, sir, voters.—A. Well, I think about twelve or fifteen voters, to the best of my knowledge.

Q. How did they vote?—A. They voted—let me see, one, two, three, four of them with the democrats; the remainder were republicans.

Q. What course did you take with those who were not democrats?—A. Subsequent to the election?

Q. Yes.—A. They are still on the plantations, and no course at all; and they have rented their lands for another year and remain there on the same footing as the others.

Q. You have since that rented your land to them?—A. They were there, but no new contracts have been made with them. They have all understood that they were going to take it another year, and have begun to work on that understanding. It was understood simply that anybody could come there and take so much land for so much cotton per acre.

Q. The contracts generally expire when?—A. On the 1st of January.

B. F. WHITEMORE—DARLINGTON COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

B. F. WHITEMORE sworn and examined.

By Mr. CAMERON:

Question. Give your age and place of residence.—Answer. I reside at Darlington, and am 52 years of age.

Q. How long have you resided in this State?—A. I have been here, sir, going on twelve years.

Q. What official position, if any, do you now hold?—A. State senator.

Q. How long have you held that position?—A. Seven years; the term is four years each.

Q. Where is your place of residence in this State?—A. Darlington Court-House, Darlington County.

Q. Did you take any part in the late political canvass in this State? and if you say you did, go on and state such facts as came within your personal observation and knowledge. We are here to inquire whether or not the colored people were intimidated in any way so as to prevent them from voting the republican ticket, or to induce them to vote the democratic ticket, and such information as you can communicate to the committee we would be glad to have you do so.—A. Yes, sir; I took a part in the campaign, the campaign commencing with us as early as the latter part of August. In answer to the matter of intimidation I will say that there is a general intimidation throughout the entire country.

By Mr. MERRIMON :

Q. Do you know that of your own knowledge?—A. Yes, sir, I know it.

By Mr. CAMERON :

Q. Now go on and state the facts.—A. The formation of rifle-clubs who were officered and who drilled in public view, parading through the streets and on the public highways, and on private premises, shooting at marks, practicing as marksmen; general rumors of violence; parties coming to myself and others, notifying me of perils to my life; and in going from place to place, seeing persons armed and mounted, riding about the country——

By Mr. CHRISTIANCY :

Q. These were whites, were they?—A. Yes, sir, nearly all of them—being present at all public meetings, and demanding a portion of our time.

By Mr. CAMERON :

Q. Now state specifically in regard to them, when and where you held those public meetings of the republicans; and how, and in what manner, and by whom a demand for a division of time was made.—A. At Timmons-ville, the latter part of August, our first meeting was held.

Q. That is a republican meeting?—A. Yes, sir; a republican meeting.

Q. Were you present yourself?—A. I was, and took part in the meeting—addressed the meeting. Before the meeting was held we were notified—that is, those who expected to take part in that meeting, all the leading republicans in the county—that it was the purpose of the democratic party to have a portion of the time, by fair means if they could; if not, they were to have it anyhow.

Q. I will ask you if the meeting was called exclusively as a republican meeting?—A. Yes, sir; exclusively as a republican meeting. The day before the holding of this meeting, which was on Saturday—that is, on Friday—people were riding from different portions of the county toward Timmons-ville—armed white people.

Q. You saw that?—A. I saw that myself. Their arms were in their wagons and their buggies, and the different vehicles which they were riding in, as well as upon their shoulders, right in public view; they were riding along through the public streets, in the public highways; everybody could see them; they did not hide them at all; and the county was in a very disturbed and alarmed condition. The anticipation was that we would have serious trouble on the next day; that was Saturday.

I live twelve miles from Timmons ville, and on Saturday I proceeded with my horse to Timmons ville, with others. We arrived at the place of meeting, where there was considerable excitement and a great fear expressed on the part of those who had gathered there that the meeting was to be interrupted, if not broken up.

I was waited upon by the chairman of the democratic committee of the county and the mayor of the town of Timmons ville relative to a division of the time at the meeting.

Q. Was the mayor a democrat?—A. Yes, sir; his name is Neal. His remarks to me I won't attempt to state, as I don't remember them now. The chairman of the democratic county committee was Junius A. Law. My reply to them was that this meeting was called in the interest of the republican party, by republicans; that it was to be addressed by republicans, and the speakers were there to address them, and there would be no time to divide with the democratic party. Various attempts were made to get possession of the meeting—

Q. Now state what those attempts were and by whom made, if you know that.—A. First by inviting a number of us to meet a number of their party to decide upon the manner in which the meeting should be conducted; who should speak first, how many republicans should speak, and how many democrats should follow, or be interspersed. Failing in that, they then said, "We maintain that the democrats built the platform upon which you are to speak to-day, and we have a right to be there." My reply to that was, "If you have built the platform, and you claim a right to speak upon that platform by virtue of building it, why, then, we will not occupy it to-day; we do not propose to stand on any democratic platform here; we will go elsewhere and speak." My recommendations then to the republicans was to go back some few yards to a place that was purchased for the freedmen in 1865, upon which a school-house now stands, and by my recommendation we retired to this place, where the speaking immediately commenced in the interest of the republican party.

Q. State about how many republicans were present at this meeting.—A. Well, sir, I should say that there were not less than two thousand republicans present; perhaps there may have been twenty-five hundred; not less than two thousand.

Q. Now go on and state what occurred.—A. And there were about fifteen hundred democrats present, and they had sent for their public speakers, and they were present, the leading men of their party. The candidates for Congress and candidates for solicitor, &c., were there, and I would say in addition to that that I have a letter written by a leading democrat of that place to a leading democrat of Darlington Court-House, telling the purposes of the democracy on that day.

Q. Have you that letter?—A. I have got it.

Q. You may read the letter.

[Witness reads as follows:]

TIMMONS VILLE, S. C., August 23, 1876.

DEAR SIR: I am just in receipt of your valued favor of the 21st instant. I have taken every precaution to bring out a large attendance of whites; I think I can muster 1,000 for the occasion. Come down and bring all you can. Get all you can to come on horseback. A force of 500 on horseback will have a telling effect. Request Colonel Edwards and other speakers from your place. We intend to have a division of time, peaceable if we can and forcible if we must. I desire to make this a test of strategic strength.

Very truly, yours,

L. R. RAGSDALE.

Mr. J. F. EARLY, Darlington, S. C.

The WITNESS. On our repairing to this place, when the speaking commenced frequent interruptions of the meeting were made by committees sent from the other side to us, to still urge us to give them a portion of the time, which we persistently refused to do. Finally, when I was upon the stand, I being the last speaker, the time being then about three o'clock in the afternoon, I suppose five hundred mounted horsemen armed—

Q. White men?—A. White men, every one—drove up the road from the place where we expected first to speak, where they had erected the stand, to the place where we were speaking, and surrounded the place with their arms in sight, their rifles upon their shoulders, and their pistols in their belts, and among them were some of the worst characters that we have in our county. One man in particular, who has been already arrested for murder, one of the members of the house of representatives here from the county of Darlington, and another man by the name of Oliver, a well-known outlaw in our county, and another man by the name of Pawley, who has been a well-known bully in our county, and other men of like character having prominence in the party. I had been told before I got there that if I attempted to speak there my life would be taken; that I never would get away alive. When I saw those parties drive up my idea, of course, was that they came to carry out the threatening which I had heard, but we were only saved that day from slaughter, and from a scene which would have been a calamity to the whole country, I think, by the determined position that we assumed not to divide any time, and by manifesting no fear in the premises. We succeeded in getting away from the place without any one being hurt.

I want to say, in connection with this, that the county of Darlington has been up to the time of the last campaign one of the quietest counties in the State. We have had less disorder there than in any county in this State, and I must say that the sudden rising up of what appeared to be an apparent disposition on the part of the people, or that class of people who had the control of the democratic party, was a matter of astonishment to me, as well as regret. We have never had hardly any political troubles, serious troubles, in the county until the last campaign.

Q. Now you can go on, Mr. Whittemore, and state what occurred at any subsequent meeting.—A. Well, at all our meetings the armed men appeared in red shirts, riding up upon horses to our meetings, with pistols in their belts, and having a general appearance of preparation for violence, if violence was necessary, or determined to carry it out if they thought proper to do so. There has been a general intimidation of the people throughout the county, and threatenings of removal from their places, their positions.

Q. State what facts you have within your knowledge in regard to that.—A. Well, sir, I have taken a great number of affidavits relative to that matter in my own county in regard to people who were removed from—

Q. Have you heard any white persons make threats of that kind there in public speeches?—A. Why, sir, the public speakers, the democratic public speakers, in public debate stated openly, without any disguise whatever, that it was their intention to remove every man from their plantations and every employé that did not vote the democratic ticket.

By Mr. MERRIMON :

Q. Mention some of those.—A. Col. Perryman W. Edwards, a leading lawyer in the town of Darlington, stated that publicly; and, in addition to that, stated that they intended to do it, to carry it out,

Grant's proclamation, the governor's proclamation, and Grant's bayonets and guns to the contrary notwithstanding.

Q. Name another.—A. George W. Dargan, another lawyer.

By Mr. CAMERON :

Q. When and where were those statements made?—A. Just prior to the election, in the court-house at Darlington, in a public meeting, called by the democratic club of the township in which I live, and at which myself and other republicans were invited to be present. This statement was made because I had, in my public speeches, said that it was utterly impossible for them to carry out any such purpose as they had manifested, or any such threats as they had made; namely, the removal of the people from the plantations and from employ. I had attempted, by statistical information, which I furnished, to show the importance of the laboring men of the State, and through those statistics to prove that it would be not only impossible, but it would be one of the most unnatural things for them to do; and, in contradistinction to this statement, in order to impress the people with the determination of the parties to remove every man from their employ that did not vote the democratic ticket this meeting was called, and finally Perryman W. Edwards made this statement in open meeting, calling upon the white men who were present, representing the democratic party, to affirm his statement, which they did. That is not the only instance; that was their usual mode of intimidation, and I may safely say a thousand people have been to me to tell me of the fact that the persons with whom they live said that they should be removed from the plantations the moment they voted the republican ticket.

Q. Do you know whether statements similar to those you have narrated were made in the democratic newspapers in that county or in the State?—A. No, sir; not in that county. The democratic newspaper in that county, to my knowledge, has never made any such statement. It is not a very positive paper. It is a paper that is more of a family paper, intended more for family reading than it is for any political influence. But the Charleston News has certainly published from time to time, and their files will show my statement to be correct, that the democratic associations throughout the State, in different places, have passed resolutions of a similar character.

By Mr. MERRIMON :

Q. Can you furnish the committee with any copy of such paper?—A. Yes, sir. That was a very common thing, sir. More than that, sir; I am receiving letters now every day from parties in different parts of the county asking me if it is possible that their contracts can be broken and they can be removed from the plantations where they have been living, for no other reason in the world than that they voted the republican ticket.

By Mr. CAMERON :

Q. You may state whether you at any time found it necessary to have your own house guarded for your own personal protection.—A. Yes, sir; time after time, without calling for any such assistance or any such protection, my house has been guarded by not less than ten and from that to twenty persons, and they insisting upon guarding my house because they had information which made them fearful that my life would be taken before morning.

Q. Did you make a canvass outside of your own county?—A. No, sir; I did not. I confined myself entirely to that county.

Q. About how many republican meetings did you attend in the county during the campaign?—A. Well, sir; I presume that I have attended—it was my object to attend every meeting that was held—all the way from ten to thirty. We had two kinds of meetings; large public mass-meetings, and precinct-meetings held under the auspices of the clubs—what we call the Wide-Awake Clubs; not secret clubs, but open out-of-door clubs, who held their meetings in their own precincts.

Q. If anything special occurred at any of the meetings which you attended, will you please state it to the committee—besides the first one which you have spoken of.—A. Only the presence at those meetings of armed men and men in uniform wearing red shirts belonging to rifle-clubs.

Q. What was their demeanor; peaceable and respectful, or boisterous and insulting?—A. In some instances insulting and boisterous, in others only standing about and attempting to intimidate by their presence and by private conversations with individuals.

Q. You can state anything else, within the scope of our inquiry, that came within your personal observation.—A. I will say, that on the day of the election at Darlington, early in the morning, immediately after the opening of the polls, the democratic chairman of the county, with a number of men, consisting, I would say, of not less than fifty—

Q. White men?—A. White men—took possession of poll number one.

By Mr. CHRISTIANCY:

Q. They were democrats?—A. Yes, sir—saying to those men that were with him, "Now, boys, don't let the damned republicans in here to-day;" and for, perhaps, the space of half an hour, or at least twenty minutes, the colored people that were in there to vote were taken hold of and forced up to the polls, and if they had republican ballots in their hands they were taken out of their hands and democratic ballots put in their hands and they were taken up to the ballot-boxes and forced to vote the democratic ticket, and he was spoken to by different parties about it as being unfair, &c., and so on; and he replied, that he did not care anything about fairness; that they proposed to carry the election that day.

By Mr. MERRIMON:

Q. Who was that?—A. The chairman of the executive committee of the county of Darlington, Col. Junius A. Law. Affidavits to that effect can be had if the committee desire it from white parties who were present at the time, and who are men of standing in the community, who were present and know all about it. One of the commissioners of the election was present and saw the whole operation.

By Mr. CAMERON:

Q. What is the relative proportion of the white and colored races in Darlington County?—A. While you could get at it, if you please, in this way, the way that I would get at it would be different; the full democratic vote in the county would be about two thousand two hundred, and the republican three thousand seven hundred. The white population would represent the democratic vote, and the colored population would represent the republican vote. There are, of course, white republicans in the county; very many more at the elections preceding this last election than there were at the last one. We had two or three hundred white republicans in the county, but at this last election I do not suppose there were over twenty white republicans that voted the

republican ticket; the vote was mostly and almost altogether by colored men—the republican vote.

Q. What was the result of the last election in your county?—A. The result of the last election, instead of being a majority, that is, our normal majority of one thousand eight hundred and odd—one thousand eight hundred and eighty-one was our majority in 1874—we had a majority of less than eight hundred; a reduction of our majority of over one thousand.

Q. It is claimed that a large number of colored men voluntarily voted with the democratic party; what information can you give the committee in regard to that?—A. If I were going to make any statement in regard to that, I would say that I do not believe that there were thirty voluntary colored democratic voters in the county.

Mr. MERRIMON. That is simply your opinion?—A. That is my opinion.

Mr. CAMERON. Any personal information you might possess going to show, or tending to show, that colored men voted the democratic ticket by coercion, or any such information that you received from leading democrats in the county, you may state.—A. Well, no, sir; what I know is only what people have told me, and from the affidavits that I have taken that they were compelled to vote against their will. I was not present, of course, when they all voted. There was a restraint that was brought to bear upon them; that I know as well as I know anything that I do not see with my own eyes.

By Mr. MERRIMON:

Q. Have you ever been in the Congress of the United States?—A. Yes, sir.

Q. What Congress were you in?—A. In the Thirty-ninth and Forty-first.

Q. Were you expelled from Congress?—A. I was not, sir.

Q. Did you resign?—A. I did.

Q. Were any proceedings instituted against you?—A. Never.

Q. Why did you resign?—A. I resigned, sir, because I believe that I was not to have a fair opportunity in being heard in my case, which I regard that I never have had.

Q. Was that a republican House?—A. Yes, sir.

By Mr. CAMERON:

Q. You can give any explanation of that resignation that you desire to give.—A. I was recommended by my friends to resign, believing that it was utterly impossible for me to have a fair hearing; that a victim was to be had, and that I was to be made a victim of.

Q. What official positions have you held in this State since your resignation?—A. I have been a senator ever since, sir. I was elected the year following, or the very year of my resignation, to the senate, and have been re-elected. My term expires in '78.

Q. What official positions, if any, did you hold in your State prior to your election to Congress?—A. I never had any official position, sir, other than my connection with the Army, and being connected for a short time with the educational department of the Freedman's Bureau in the building of school-houses and the formation of schools throughout the State; that is, the northwestern portion of the State where I resided.

Q. Of what State are you a native?—A. Massachusetts.

Q. What connection did you have with the Army?—A. I was a chaplain in the army in two different regiments from the State of Mississippi, the Fiftieth and Fifty-third.

Q. If there is any other matter that you think is pertinent to our inquiry you may state it.—A. No, sir.

CAPT. E. R. KELLOGG—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 4, 1877.*

E. R. KELLOGG sworn and examined.

By Mr. CHRISTIANCY :

Question. What is your profession?—Answer. I am a captain in the Eighteenth Infantry and brevet major in the United States Army.

Q. Where were you stationed during the last election, on the 7th of November last?—A. I was stationed at Edgefield Court-House, in Edgefield County, in this State.

Q. Who was the officer in command?—A. General Brannan was in command of the post.

Q. Well, were you at either of the polling-boxes during that day, or near them?—A. I was.

Q. Which one of the polling-boxes were you near mostly?—A. At box number two.

Q. We wish to ascertain whether there was anything took place that day, during that election, calculated to intimidate the colored voters or prevent them from voting the republican ticket; and whether any of them were prevented from voting by any means, and the conduct generally that you observed there of whites and blacks.—A. If you desire me I can state in a very short time what I actually saw and did there.

By Mr. CAMERON :

Q. That is just what we want, captain.—A. I was sent for about half past nine o'clock in the morning by General Brannan, and was directed to take my company and go to box No. 2, and it was reported that the poll there had been closed; that I should go there, and I would receive instructions from the deputy United States marshal, a Mr. Beatty. I marched my company there, and on my way there I was passed by a large number of mounted and armed white men who rode ahead of us, evidently for the purpose of getting there before I did, and who did get there before I did. It was between a quarter and half a mile from the court-house, where box No. 1 was held, to the place where box No. 2 was held, and about the same distance from where my company started.

I marched to the place, and halted my company about fifty yards from the school-house or church (I do not know which it was) where poll No. 2 was held. There were two buildings there; one was a church and one a school house; whether it was the church which was used as a polling-place I am not certain, but I think it was the school-house. They were quite near each other. I located my company about fifty yards from the voting-place, and the deputy marshal came to me then and reported that there was a large crowd of white men, mounted men, in front of the house in which the box was, and that they were preventing the admission of any one to the box except democrats. I saw this

crowd was in front of the house and a large number of mounted white men, and back of them were negroes.

Q. Were these white men armed that you saw there?—A. I did not see a single white man, sir, who was not armed, to the best of my recollection, at that place. I do not think I saw above six men that were not armed in the whole town—white men—that came under my observation. The marshal requested me to send some men to open a passage to the door leading into the building where the box was, and I sent Lieutenant Hoyt with four men with the marshal to open a passage to the box. Soon afterward I gave instructions to my company, and then went down there myself to see the condition of affairs. It was very difficult for me to get through the crowd of horsemen; they were packed in as close as they possibly could be in the front of the building, between the door and the fence. There were from thirty to fifty in the front of it. They were about as thick as they could be, and then they extended back several rods, not very dense, away from the building.

I should think there were altogether three hundred horsemen there. I finally got through the crowd, but I had to request men to move their horses' flanks one way and then to move their heads another way, and in that way I worked my way through the crowd. As I was getting through I came up behind General Gary, and just before I came to him, before he saw me, and before I spoke to him, I saw him reaching down for his pistol—about taking hold of his pistol, which was in his saddle-bag. He said—I think these were his identical words nearly—"If there is going to be a row here, by God, there will be a lively one."

All these white men in front of the building and near it were shouting and cursing, and a great many of them shouting out, "Shoot! Shoot! God damn it, shoot!" I really apprehended that there would be some trouble, and I knew that if there should be that there would be bloodshed. I spoke to General Gary then, and asked him if he would not endeavor to quiet the crowd. He paid no attention to me at first. I spoke to him again and said, "General, you have some influence over these men, and I wish you would exert it and see if you cannot keep them quiet;" and he said, "Well, I am a deputy sheriff, and that is what I am here for."

Very soon afterwards I spoke to him again. I saw that there were a number of men who had their pistols drawn, these mounted men, and I asked him if he would not direct those men to put their pistols up. He did not do it, but he called out to some of the men, "Tell those fellows to keep quiet," meaning, I suppose, those men that were brandishing their pistols. The men who had their pistols—I saw the most of them—were right in near the soldiers when I worked my way through the crowd.

When I worked myself through I found that Lieutenant Hoyt had made a passage from four to six feet in width to the boxes. These men who had their pistols drawn were the men right next to the soldiers. I saw a number of them with their revolvers in their hands and with their thumbs on the locks and their fingers on the triggers. I staid there a few minutes until there was less disorder than there had been, and then I returned to my company, where I remained during the day.

Lieutenant Hoyt requested me to send some more men, as he did not have a sufficient number to keep the crowd back, and I sent him four more men.

Just before I went down there, and just as Lieutenant Hoyt got down to this place, there was some disorder there and around in the crowd, which, I suppose, was caused by his going through the building. He

entered the building and went out through the front door. He could not go through the crowd very well and get into the building in any other way, and he went through a window, then opened the door and stepped out in front; and I suppose this commotion was excited by that. I saw that there was a movement in the crowd when he moved out of the house, and a great many of the negroes who were some distance back, that is four or five rods from the house, immediately began to shout, "It's commenced! It's commenced!" and started to run; and I called to them to stop and keep quiet, and they stopped then.

By Mr. CHRISTIANCY:

Q. What way did they begin to run—to run away?—A. Away from the building; yes, sir. A large number of these white men, or at least I saw a number, a dozen or more, in addition to their fire-arms, had heavy clubs in their hands. I observed two or three men who had ax-helves, and others with large bludgeons of every description. I saw that the negroes were shouting occasionally; they would shout, make a hurrah for Hayes and Wheeler, or for Chamberlain. I noticed that when they did it it seemed to anger some of the white men.

I remember of hearing on one or two such occasions some such remarks as this from white men, "Now, there is going to be a fuss;" and I observed some of them handling their pistols at such times; and I therefore requested the negroes—I went down and spoke to a number of them and told them to tell others not to shout; to keep quiet; that there was no need of shouting for any one, but to just deposit their ballots as soon as they could and then get away; and they obeyed my request, and there was very little shouting after that.

The polls were closed at six o'clock—

Q. What time was it when you left there and went back to the post?—A. When I left the house, do you mean?

Q. Yes, sir.—A. I might say I was at the house all the time. I was within fifty yards of it after I went back to my company. The polls were closed at six o'clock. At that time there was a large number of negroes there who claimed that they had not voted. I cannot say whether they had or not; it is my opinion that they had not, as a great many of them came to me in the afternoon, when they saw it would be impossible for them to vote, and asked me if they could vote on the next day. I told them, of course, that they could not; that the polls would be closed at six o'clock; and as it became evident that they could not get to vote, about five o'clock they began to leave; but when the polls were closed there were still a large number remaining there who claimed they had not voted, and I don't believe they had.

Q. Were you up, at any time, close enough to the polls to observe how the voting was going on at the polling-places—the putting in of the votes?—A. No, sir. There was no obstruction, though, to any man's going in there after Lieutenant Hoyt opened that passage. They usually went in then in squads; one of the managers would open the door and call for voters, and from six to ten would go in at a time. That was the way they were doing while I was there, and I believe that was kept up during the day. What was done inside of the building I have no knowledge of my own.

Q. Did you observe anything in connection with poll No. 1?—A. No, sir.

Q. You were not at that poll?—A. No, sir; I saw nothing of that poll at all, except from a distance of eight or ten rods. I could see the crowd about it before I went up to poll No. 2; that is up to half past nine

o'clock in the morning. There was a great deal of disorder around there, and armed men riding about that place constantly.

Q. Armed white men?—A. Yes, sir. I did not see any negro whom I knew to be armed. I don't know whether any of them had concealed pistols or not.

Q. State then, generally, which, the colored or the whites, appeared most orderly and least noisy.—A. The colored men were perfectly orderly so far as I observed, except that men shouted for their candidate; and that shouting, as I said before, was stopped where I was at the poll, No. 2, when I requested it; and there was only individual shouting after that, and very little of that.

By Mr. CAMERON :

Q. What was the condition of the town on the evening of the election, after the polls were closed; was it orderly or boisterous; and were the men whom you saw on the streets sober or drunk?—A. Well, sir, I never saw more disorder or boisterousness in my life than I saw there, both the day before and during election-day, and the day after.

By Mr. CHRISTIANCY :

Q. And the night before the election?—A. And the night before the election, during the election, and day after. I have been in a great many places that I thought needed regulating a great deal by the police, but I never was in one where there was so much disorder, and so much drunkenness, and so little respect for the comfort of other people, as there was there. It was almost impossible to sleep for three nights there, and I don't think it was altogether safe. There were pistols fired about the town. I do not know that any one was shot at directly, but there was a great deal of pistol-firing during all three of those nights.

By Mr. CAMERON :

Q. Will you state particularly in regard to those demonstrations the night before the election, that is, the night of the 6th of November?—A. Yes, sir; the armed white men were coming into town—I observed them along in the afternoon; whether any had come in before that I don't know. They were coming in in squads or from twenty to thirty generally; I think there would be from six to a dozen, and from the noise and riding of these men about the town, and their shouting there all night, I don't believe that there were very many that were sober. I did not see one that was not drunk that came under my observation. I did not go around the town to look at them; I simply only saw those who came near me; and, as I said before, it was impossible, almost, for a man to sleep that night. I know my own family complained to me that they were not able to sleep any.

Q. What were the cries and shouts of these white armed men?—A. Well, it was not any one particular thing; it was hurraing for Hampton, and generally shouting for Hampton, not much hurraing for Tilden; and the singing of hymns, or campaign songs set to hymn-tunes, and interspersed with a great deal of swearing.

Q. Their hymns were interspersed with swearing——

By Mr. CHRISTIANCY :

Q. Swearing at what?—A. A man would sing a verse of a hymn, and then they would say, "God damn my soul, hurrah for Chamberlain," and something of that sort. It was disgraceful, the way that many of them behaved—disgraceful, I mean, to the town that it was permitted.

By Mr. CAMERON :

Q. Do you know where Senator Cain, of Edgefield, resides ; where his house is ?—A. Yes, sir ; I had to pass it whenever I went to my company from where I boarded.

Q. Do you know whether, on the night of the 6th, his house was surrounded by those armed white men ?—A. Only from hearsay.

Q. That you need not state. If there is anything else that occurred at that time, which you can answer, within the scope of our general inquiry, you may state it.—A. Well, sir, I do not know any facts that have a bearing upon that. I do not know whether any opinion is desired from me in regard to it.

Mr. CAMERON. No, sir.

The WITNESS. I may say that after the election was over, just after the polls closed, General M. C. Butler came around and requested permission from me to make a speech to my company ; I told him I had no objection, although I had ; yet I could not very well say so ; so I said I had no objection, provided he would not say anything about politics ; and he said certainly, that he wished simply to thank us ; and I then called the company to attention, and he made us a little speech in which he thanked us for the courtesy and the impartial manner in which we had performed our duty during the day.

After the poll closed, one, or I don't know but two—I know one of the managers of the election requested me to leave a guard in the building while they counted the votes. Well, I was adverse to doing it, and one of the managers—I don't know whether he was a republican or democrat ; I did not know any of them—said he did not think it was necessary, but he had no objection ; and one of the others, and I think both, requested that the crowd should be left. I, therefore, sent to General Brannan for instructions, and he directed me, if the managers desired it, to leave a guard there ; so I left an officer and ten men, I believe it was ; a few men with the managers while they counted the votes.

CROSS-EXAMINATION.

By Mr. MERRIMON :

Q. One witness, Jesse Jones, has sworn that General Brannan did not do his duty there that day. What do you say on that subject ?—A. I do not think that I am called upon, as an Army officer, to criticise my superiors.

Q. You could say whether he responded to applications made to him, could you not ?—A. I cannot tell ; of course, I cannot tell what applications were made to him. I only know what he told me. I merely received my orders from him.

Q. What time did you go to the box No. 2 ?—A. I think it was about half past nine o'clock when I started, and about quarter to ten when I got there.

Q. How long did you stay there after that ?—A. I staid there until about half past six in the evening.

Q. Was the voting steady from the time you went there until the polls were closed ?—A. From the time the lieutenant opened the passage there, there was steady voting until the polls were closed.

Q. Do you know how many men voted there ?—A. I can only state from my recollection of it—that is, what I heard. I think there were about nine hundred votes ; that is my recollection. I may be several hundred out of the way.

Q. How long did it take a man to vote?—A. Of my own knowledge I could not say. I did not go into the building at all. I should say, however, from what few minutes that I was down there, that it was very slow voting.

Q. Each man had to take the oath?—A. That was what I understood; I didn't see.

Q. After your subordinates were stationed there, Lieutenant Hoyt and Lieutenant Williams, do you know that they kept the soldiers stationed there, and that the negroes just marched in by sixes and eights and tens?—A. Whenever a man inside had voted, then the door was opened by some one inside, and they called for more voters. Then, from six to ten would go in, either white or black. There were very few whites, I think, that voted there after I got there. There were not many that wished to vote, I believe.

Q. But everybody that could vote voted after you got there?—A. They were not prevented from going in to vote after I got there.

Q. That is what I mean, Captain Kellogg. What was your relation with those white people around there, friendly or otherwise?—A. I had nothing to do with them at all.

Q. I ask you whether you wrote an unfriendly letter about them to a paper in Ohio?—A. No, sir; I never wrote a letter.

Q. Did any member of your family?—A. There was a private letter written by my wife, which was published in a paper in Ohio, and I have reason to believe that the paper in which it was published was stolen out of the post-office in Edgefield by the editor of the Edgefield democratic paper and published in his paper.

Q. Was it a very unfriendly letter?—A. I did not regard it as unfriendly. I regarded it simply as a statement of facts, as I believed them, by my wife. In some particulars she was not strictly correct, and in some things she might have said more than she did. It was written without my knowledge and without my consent. My wife writes her own letters and I mine.

Q. Was it partisan in its tone?—A. I do not know what you mean.

Q. Did it take sides in this contest between these people?—A. I have only seen the letter—I only succeeded in getting a copy of it a few days ago, and I read it over hastily. It was a matter I did not take any interest in; but I think that it condemned the action of the white people there, and stated, in substance, that the negroes were prevented from a free expression of their will at the ballot-box. I cannot pretend to give any one quotation from the letter.

By Mr. CHRISTIANCY :

Q. You had nothing to do with writing it?—A. I did not know anything about it.

By Mr. MERRIMON :

Q. To what political party do you belong when you are at home?—A. I am an officer of the United States Army, and I have never affiliated, according to my understanding of the word, with any political party since I have been in the Army.

Q. You do not vote?—A. I have voted when I have been at home on two or three occasions. I voted for Abraham Lincoln in 1864 when I was at home wounded. I voted in the State of Ohio in 1867 against the amendment of the constitution permitting negroes to vote. I believed it to be my duty to vote in that way; and I have voted there since in a congressional election. I vote nowhere else. I don't consider that I have a right to vote anywhere else.

HENRY W. PURVIS—RICHLAND COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

HENRY W. PURVIS (colored) sworn and examined.

By Mr. CHRISTIANCY :

Question. Where do you reside ?—Answer. In Columbia, S. C.

Q. How long have you resided here ?—A. About ten years.

Q. What is your age ?—A. Thirty-one.

Q. Do you know anything about the organization of Capt. Dock Adams's company of militia in Hamburg, Aiken County ?

Mr. MERRIMON. State what you know of your own knowledge.

A. I will certainly do that. It was a part of the organization of the militia under Governor Scott.

By Mr. CHRISTIANCY :

Q. Before you begin, you may state what means you have of knowing about this.—A. I was adjutant-general of the State.

Q. You were adjutant-general of this State ?—A. Yes, sir. The company was commanded by Prince W. Rivers.

By Mr. MERRIMON :

Q. When was that company organized ?—A. During the first administration of Governor Scott, in 1869 or 1870, I think, sir. He was promoted afterward, and the company was commanded by a man named Williams. It was connected with a regiment known as the Ninth Regiment, South Carolina National Guard.

By Mr. CHRISTIANCY :

Q. At that time ?—A. Yes, sir; and on promotion of Williams to the coloneley the company had dwindled down very much, and was commanded by this man Adams, who was elected captain of it; and since 1872 he has been captain of it. I was elected in 1872 as adjutant-general, and he was then captain of this company—Company A.

Q. Who was ?—A. Adams.

Q. In 1872 ?—A. Eighteen hundred and seventy-two, sir.

By Mr. MERRIMON :

Q. Are you sure of that ?—A. I am, sir.

By Mr. CHRISTIANCY :

Q. Was it Adams or Williams who was captain in 1872 ?—A. Williams was promoted, and Adams was elected captain of the company.

Q. Are you sure about the year ?—A. I will not be right positive. My reports, anyhow, will show for that. The present adjutant-general is, I believe, making out a statement of that fact, anyhow.

Q. You do not, then, pretend to give the dates exactly ?—A. No, I will not be precise about that.

Q. After Williams had been promoted to the coloneley— A. The command of the company fell upon this man Adams, by election of the company.

Q. When did you cease to have any connection with the adjutant-general's office ?—A. In December, 1876.

Q. This last December ?—A. Yes, sir.

Q. Have you any of the records of the office here with you ?—A. I have not.

Q. Do you know anything about the furnishing of arms to that company?—A. No arms were furnished during my administration as adjutant-general. There were no arms furnished except under the administration of Governor Scott.

Q. The arms, then, whatever they were, were furnished during Governor Scott's administration?—A. Yes, sir.

Q. When you were not adjutant-general?—A. When I was not adjutant-general.

Q. Was any ammunition furnished them while you were adjutant-general?—A. Not any.

Q. Was any commission actually issued to Adams as captain of the company?—A. Application was made, but none actually issued; at least, it never left the office.

Q. What was the reason that it was not done?—A. They never called for it.

Q. Was there something wanting—some returns to be made to the office?—A. Under the act of 1874 of the legislature, re-organizing the militia, this company, after its re-organization, elected Mr. Adams as captain, but he never was commissioned, I don't think, under the re-organization.

Q. Never was commissioned under the re-organization?—A. Never was commissioned under the re-organization; and the others officers of the company they held over—their term of office had not expired as officers, and they held over.

Q. Whatever the cause was, he did not receive a commission?—A. He did not receive a commission, but at the same time the company had elected him as captain. It was a mere matter of form, the commission was, as far as that was concerned.

Q. Were you with Governor Chamberlain during the political campaign last fall, or any part of it?—A. Yes, sir; I was at several places with him.

Q. At what places?—A. I was at Edgefield and Newberry.

Q. Were you at Abbeville?—A. No, sir.

Q. You were only at those two places?—A. Only at those two places.

Q. If you know anything of any intimidation of the colored voters in this State that has come under your own observation, from the beginning of the campaign down to its close, you can state it; intimidation by the democratic party, the whites against the republican colored voters.—A. Well, I do not know as against the colored voters, but against all republican voters. At all the meetings that I attended, with one or two exceptions, there was a general intimidation; where I voted I did not see any intimidation; I voted here in Columbia, but during the campaign at all the meetings I attended there was almost in every instance on the part of the democracy an open source of violence or intimidation.

Q. Well, sir, just describe what it was; what you saw and what you know of your own knowledge.—A. For instance, notice was given that a republican meeting would take place at such and such a time and at such a place, and the whites would go there in large bodies, generally armed men on horseback, and surround the stand and demand part of the time; and if that was not granted, the result has been in many instances that there has been no meeting. In some instances republican speakers—where the meeting was called at the village of Edgefield particularly, where I saw it—time was allotted to the republican speakers by the democrats, although it was a republican meeting, a meeting held under a republican call. The same thing occurred in the county of Newberry.

Q. That was so both at Edgefield and Newberry, was it?—A. Yes, sir.

Q. Well, during the time that the republican speakers were speaking what was the conduct of the whites—the democrats present?—A. If there was reference made at all to the acts of the democratic party they were interrupted—they were not allowed to proceed.

Q. Any names called, any threats of violence?—A. Well, abusive language and obscene language used against prominent men who happened to be present; such as calling them sons of bitches, and so on.

Q. Did you see at those meetings any pistols drawn out?—A. No; I do not remember of seeing anybody draw any pistol; but these bodies of armed men were generally present at these political meetings and they were known as rifle-clubs, and they existed without any guarantee of law. Under a charter here obtained from the general assembly, in 1874, these clubs organized as charitable clubs; but that act was repealed, and all the clubs that are now in existence exist without any guarantee of law at all, and in utter violation of law.

Q. Well, upon this point I will ask you one question in reference to the military organizations here. It is said that none but colored men have been organized as State militia; will you state what was the reason they were not; does the law make any difference between the two?—A. There is no distinction in the law; it was the same as under the laws of the United States. All persons of certain age are subject to military duty, but under this national guard system the governor had the right to select out of this militia element those whom he deemed fit to constitute that national guard. There has been no proscriptive element, or no proscription about it. The white men objected to joining the militia with the colored companies, and wherever there has been an application from them they desired to be a separate and distinct body of armed men.

Q. That is, they wished to make the distinction of color, and that was impossible under the general law?—A. Yes, sir; that could not be done under the general law. As far as the falsity of the statement, if any such has been made, is concerned, I will say that a majority of the commanding officers, I think, of the military organizations in this State are white men who have affiliated with the republican party generally; or a great many of them are, at least.

Q. Have you been out through the State enough to know anything of the riding about at night by these rifle-clubs, as you call them?—A. I have been all over the State a good many times, but I have never seen any of those parties riding out any more than the evidence in the Ku-Klux trials and the evidence taken before various committees.

Q. I do not inquire into that. Unless you know of some other facts of intimidation of these colored people or republicans by the democrats, I have no further question to ask; but if any other facts are within your mind that now occur to you, you can state them.—A. I know of nothing more, sir, than what I suppose you have heard from witnesses summoned, that they have been abused and whipped; after they were whipped I have seen them.

Q. Well, state that.—A. There has been a great many instances of men here—men that were in the Hamburg riot and the Ellenton riot; they have been here, large numbers of them, that I have seen that have been whipped and abused.

Q. Did you see the marks on them where they were whipped?—A. Yes, sir. I think there is a gentleman here now as one of your witnesses that has got a wound where he was shot not yet healed up.

Q. What was his name?—A. He was from Marion County.

Q. What was his name?—A. I do not remember his name.

Q. Simon Crawford?—A. Crawford, I believe, his name was.

Q. Have you seen any others?—A. I do not know as I could remember the names, but there have been a great many of them here within the last six weeks before the United States court that were wounded and abused. I know nothing further. I was a member of the canvassing-board here. I suppose you have got that evidence, though.

Q. Were you a member of the State canvassing-board?—A. Yes, sir.

Mr. CAMERON. Well, we do not propose to go into that question of the State canvass at all.

Mr. MERRIMON. I do, if you will let me do it.

Mr. CAMERON. You can examine the witness, Mr. Merrimon.

CROSS-EXAMINATION.

By Mr. MERRIMON :

Q. There was an act passed in 1874 which required the re-organization of the militia of this State?—A. I believe it was in 1874.

Q. That act provided that, in order to re-organize it, any companies might be formed consisting of not less than the number fixed in the statute?—A. Yes, sir.

Q. It required application to be made to the adjutant-general's office, that companies that had a prior existence might re-organize if they re-organized within a specific time; that is, by the 1st of January, 1875. I ask you whether, under that re-organization, the companies that had an existence prior to that time—the persons re-organizing—had a right to elect their officers?—A. I don't believe they did; not until after they re-organized.

Q. Well, after they re-organized, did they have a right to elect their officers?—A. They had.

Q. In that case did you issue commissions to them?—A. I did when they made application.

Q. How did it happen that you did not issue commissions to Dock Adams's officers?—A. The application was not made.

Q. If application had been made, you would have issued commissions to them?—A. Very likely to have done so.

Q. The persons composing the company had a right to elect their officers?—A. Their superior officers.

Q. And after the re-organization regularly they would have been commissioned?—A. They would have been.

Q. And you say that no commission was issued to Dock Adams's company, or any officer of it, after the re-organization took place?—A. I did not say so.

Q. What did you say?—A. I said that Dock Adams was not commissioned; the other officers of the company were commissioned.

Q. When were they commissioned?—A. After the re-organization and before.

Q. The present adjutant-general stated yesterday that they were not.—A. They were, and it so appears upon the records; Cartledge and some other man; I forget now; Coleman, I think.

Q. When did Dock Adams's company re-organize?—A. I do not remember.

Q. Do you know that it ever was re-organized?—A. I do.

Q. When was the muster-roll filed in your office?—A. I do not remember.

Q. Was it filed there before the Hamburg riot?—A. It was.

Q. You swear that?—A. Yes, sir.

Q. You are sure of it?—A. Yes.

Q. Now, I caution you about that.—A. I am pretty positive of it; the record will show if it was not so.

Q. I now ask you whether that muster-roll was filed there before the Hamburg riot?—A. Well, I would not swear positively, because the record will show if it was.

Q. You said awhile ago that it was?—A. I am under the impression that it was.

Q. Why didn't you, then, issue to Dock Adams his commission?—A. He never applied for it.

Q. Never has applied to this day?—A. I was not to know that Dock Adams was captain of that company until he applied for his commission.

Q. When a muster-roll is forwarded does not the statute require you to commission the officers?—A. It does not. They have the right to elect their officers whenever they see fit to.

Q. This company was re-organized by Dock Adams, when?—A. I do not remember the date.

Q. When was it re-organized?—A. It was re-organized under this act; I don't remember the date.

Q. Do you know whether it was before the 1st of January, 1875?—A. The date of this act is 1874; March, 1874.

Q. That act provides that they must be re-organized by the 1st of January, 1875, unless the officer mentioned in the act shall extend the time; were they re-organized before that time expired?—A. They may have been between 1874 and 1875; my reports will show it.

Q. And your reports are all filed in the office?—A. They are, sir.

Q. The records are regularly kept there, and reports made touching this company are on file in the office you lately held?—A. They are.

Q. When did you issue any ammunition to those men last?—A. I never issued any to them at all.

Q. Never while you were in office at all?—A. No, sir.

Q. I ask you particularly whether any ammunition has been issued regularly or not within the last ten months?—A. I would not be likely to let them have any unless it was regularly issued.

Q. How is it; did you or not?

The WITNESS. What do you mean?

Q. I ask you if you did do it?—A. I say, no.

Q. Are you positive that you did not?—A. I would say positively that there is no use of my answering any such question.

Mr. CHRISTIANCY. Answer the question.

The WITNESS. I say, no; they have had none since I have been adjutant-general.

Mr. MERRIMON. They got none from the office whether it was issued officially or otherwise?—A. No, sir.

Q. State whether you issued to any portion of the militia, during the Combahee riot, any ammunition.—A. I issued to General Smalls, commanding that division, under requisition of his excellency the governor, six thousand rounds of ammunition.

Q. While the Combahee riot was going on?—A. Yes, sir.

Q. Did you issue any arms?—A. I did not.

Q. Did you issue any arms after that?—A. I did not.

Q. Did you send any arms to the chief of police at Charleston?—A. I did.

Q. How many?—A. I think there were thirty or forty; I do not remember just now.

Q. Did ammunition go with the arms?—A. It did.

Q. How much?—A. I forget exactly.

Q. Where else did you issue any arms since January last?—A. None except to the State penitentiary.

Q. Nowhere else but to the State penitentiary?—A. And to the agricultural school at Orangeburgh.

Q. Did you issue any arms to any militia at all?—A. None at all.

Q. Did you issue any ammunition to any of the militia?—A. Not any.

Q. I ask you whether any arms were sent to a man at Newberry Court-House, put up in a box marked "Shoemakers' tools"?—A. None that I know of.

Q. You swear that no arms went from your office?

The WITNESS. As "Shoemakers' tools?"

Mr. MERRIMON. Yes, sir; marked "Shoemakers' tools."

A. Not any, sir.

Q. And sent to Newberry?—A. Not any.

Q. You swear that none were issued there?—A. Yes, sir.

Q. And that none were sent from your office?—A. None were sent from my office.

Q. Or ammunition?—A. Nor ammunition.

Q. I would like to ask what was the object of this Hamburg matter?—A. Do you want to know the truthfulness of it?

Mr. MERRIMON. Certainly.

The WITNESS. I could not understand what that had to do with the organization of this militia. I could not understand the drift of this thing. I could not see the pertinency of this matter, whether that company existed at all or not.

Q. We want to know whether it had a legal existence?—A. Then that would be a guarantee that these men were legally murdered.

Q. I ask whether you directed the colonel commanding that regiment over there to gather up the arms belonging to that Dock Adams company?—A. I did not.

Q. Did Williams write you a letter before you left the office going on and telling you where he had found various guns?—A. I did get a letter from Mr. Williams, colonel of the regiment that was, I believe, from Augusta, saying that after the Hamburg riot a lot of democrats had possession of the State arms, and I wrote him that I would be very glad indeed if he could get them back. I believe that they captured them from the fellows that they shot.

Q. Did you get all the guns?—A. He did not get any.

Q. He did not get any at all?—A. No, sir; he said he did not get any. The members of the regiment do not generally get the guns when they get in the hands of the democracy in that region.

Q. He said he did not get any of the guns?—A. He did not get any.

Q. He said he did not in a letter?—A. No, I don't think that he did. Company A, commanded by Dock Adams, is a regular organized company and a part of the National Guard of this State, and was at the time that these men raided on it.

By Mr. CAMERON:

Q. That was prior to the 4th of July?—A. Yes, sir; and was one of the first companies organized in this State, and has been ever since.

Q. And recognized by the State authorities as a legally-constituted company?—A. Yes, sir; I made a report to his excellency the governor in reference to that matter, which I suppose could be seen at any time.

W. R. MARSHALL—FAIRFIELD COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

W. R. MARSHALL sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Ridgeway, in Fairfield County, in this State.

Q. How long have you resided there?—A. About six years.

Q. Of what State are you a native?—A. Of South Carolina.

Q. What is your age?—A. Thirty-eight, sir.

Q. This committee is charged with the inquiry whether or not the colored voters, particularly in this State, were prevented from voting as they desired to at the last election by intimidation on the part of the democrats. Now you may go on and make a statement of such facts bearing upon that general question as have come within your observation.—A. Well, sir, I am a peace officer; I am a trial-justice.

Q. How long have you occupied that position?—A. I think about four years. Does the committee desire to know what I may know in reference to intimidation?

Mr. CAMERON. Yes, sir.

Mr. MERRIMON. What you know of your own knowledge.

The WITNESS. Certainly, sir. Well, what I know directly is simply this: that a system, not applying it to individuals, but a system of intimidation resulting from the riding of armed men at night.

Mr. CAMERON. Now you may state how extensive the riding was.

Mr. MERRIMON. Let him explain that; I want to hear what he has got to say about that.

The WITNESS. The riding of armed men at night, the interruption of gatherings in the day-time for debate and discussion, resulting in a general reign of fear and terror, sir. No direct breaches of the peace in my knowledge were committed in my locality, or as far as I know in the county of Fairfield. This was prevented by various causes: first, the intimidation amounted to such a fear of death and punishment as to make the colored men as a mass timid, afraid to gather, easily alarmed and excited; and a few whites were sufficient to disturb or break up a meeting at any time. The reason that the hare was not caught by the hound was that the hare outran the hound; they shrank; they gave way; they did not resist. At any time a difficulty could have been precipitated in my neighborhood by what might be regarded as a manly assertion of their rights as citizens.

Q. (By Mr. CAMERON.) Do you know or not whether any "rifle-clubs," so called, were organized in your county?—A. I do, sir; that is, I know of them by current report; I know of them by the direct statement of parties who claimed to be officers.

Q. Very well, you can give your own statement. State what those persons who claimed to be officers said to you in reference to the organization of such clubs or companies.—A. Richard S. Desportes, of the town of Ridgeway, county of Fairfield—

Q. A white man and a democrat, is he?—A. Yes, sir; a merchant; he informed me on the night of the 22d of September—I could explain to the committee in detail what all the circumstances were, but that will consume more time than is necessary. I can answer any question, however, that the committee may desire to know.

On the night of the 22d of September I was informed by him that he

was the captain of a rifle-club organization. As a peace officer of the precinct of Ridgeway, I told him that I was surprised to know of that organization; that I did not know that there was a military organization in the immediate neighborhood. I asked him its object, and he said it was for the preservation of the peace. I asked him if the peace had been disturbed; that, if he was prepared to make affidavit to that effect, I was prepared to issue a warrant for the arrest of any parties who threatened the peace in any way; that no complaint of the kind had ever been made to me as trial-justice that I did not attend to. He said, "No; it was to prevent a breach of the peace." I said, "Well, Mr. Desportes, are you commissioned by the governor of this State?" He said, "No, I have no commission, but self-preservation is the first law of nature; we have organized to preserve ourselves." I give it as well as I can remember the object as stated by him. I replied to him: "This organization, it strikes me, is outside of the law, unless there is something I don't know anything of. I am a peace officer here, and you all recognize me as such; you have done so a good long while; would you obey my orders as a posse?" He said, "O well, of course, as citizens, we would obey your order, if a posse were necessary."

He offered me the protection of the rifle-club. Unfortunately for me, I differ from many of my southern friends; I believe that I am an American citizen and that I have a right to select my political associates and to vote for political candidates according to my convictions of right. I was offered the protection of this company, knowing that I was a quiet and orderly man, which I am to-day, I hope; at least I have had that reputation, I think. I told him that I could not accept that protection; I was very much obliged to him, but that I could not accept the protection of that unlawful organization; that I thought the laws amply sufficient to protect me, though on that occasion it seemed like they were inadequate.

That is one organization. The other officers I did not know; he was accompanied by three or four gentlemen of the neighborhood, only one or two of whose names I can now remember; this perhaps was ten o'clock at night—Mr. J. Q. Davis and Mr. R. H. Edmunds, jr., and the other I forget; there were four.

In reference to the other organizations in that neighborhood, I only know of them by report; none of the officers have told me that they were officers, but there were in our immediate neighborhood two other companies organized. As I stated before, Mr. Desportes said that they organized for protection; I did not understand protection against what—there was no statement made—protection, self-defense.

Q. Had any outrage been committed in that vicinity prior to that time?—A. None at all.

Q. Was there any resistance to your processes?—A. No, sir; never, sir; there never had been a resistance even of two men, even of any combination of two men up to that time, the 22d of September. There were two or three organizations in the immediate neighborhood, whose officers I only knew by report. The effect of those organizations—their object I have stated as Mr. Desportes stated it to me—the effect of those organizations was very apparent.

Q. What was the effect?—A. The effect was to frighten and intimidate almost everybody, and quite a number of white people as well as colored people were forced into those organizations, according to their assertions to me at different times, simply because the pressure got too heavy; they could not stand it. The effect was to frighten, alarm, and excite the colored people very much.

Q. How extensively was that riding at night carried on in your county?—A. I cannot say, sir, because from the middle of September until this hour, when at home, I am never out after dark; therefore I cannot state precisely. I can only state from rumor and reports and certain evidences. Now, for instance, on the morning of Tuesday following—if I had an almanac I might fix positively the day—Friday was the 22d of September, and on the Tuesday following, if I mistake not, which would make it Tuesday following the 22d of September, I forget now the day of the month; there was considerable noise on Monday night in the village of Ridgeway, where I live; I live in the suburbs of the village. There was a great deal of whooping and hollering, and the occasional discharge of fire-arms. The next morning about sunrise I was awakened by the discharge of a volley, I suppose, of about twenty-five or thirty shots, on the road passing within three hundred yards of my house. Well, passing by my house, not on the front of it—my house fronts upon this road which runs east and west—but it is north of my house some three hundred yards. This discharge not only alarmed me, but my family, and my wife being very much alarmed, supposing my house was being attacked. I am not naturally a timid man, but this alarmed me. I have been in the confederate war, and I think I am not easily frightened; but that morning my wife was very much alarmed, and suggested that we take to the woods. I said, "No; I am going out to inquire what is the occasion of the discharge of these arms; it is my duty to look into this matter." I sent two negroes out to ascertain, and they reported that the men who had fired these volleys were from Kershaw County, an adjacent county; they had heard of a disturbance at Ridgeway, and had come there for the purpose of quelling it; they said they simply fired a salute to show that all was quiet.

Q. Had there been any riot?—A. Not at all, sir; nothing but a personal difficulty which occurred on the 22d of September, in which I was assaulted upon the street and I defended myself; but there was no riot, no disturbance, further than the excitement following this difficulty that I had upon the streets with three or four parties. They concealed themselves in the woods and fired at me as I went home that evening, to which I did not reply; I went on home and got there safely; and it was upon that night that I was waited upon by these officers of the rifle-clubs, saying I was in no danger, and saying that they would furnish a guard for me, to protect me. With that single exception, there had been no disturbance; and nobody was injured in that affray, excepting a few little bruises being received by the parties engaged.

Q. You have stated that since that time, when at home, you have remained in your house during the evening and night?—A. Yes, sir.

Q. How is that?—A. I have not felt that it was safe to be moving backward and forward during the evening. Whether I am unnecessarily uneasy on that subject I do not know; but I have remained at home after dark. I have been at home, and have been backward and forward, but I keep in after dark. I am apprehensive of personal danger, and I prefer that if I am to be slaughtered it shall be in the daytime and the witnesses to be present. I do not say that I would be injured; I do not assert that; but I say I have an apprehension. The question is whether my apprehension is well founded or not.

Q. How long have you acted with the republican party?—A. In a quiet way I have acted with it since its organization. I have not been what might be termed an office-seeker. I voted for R. K. Scott in '68. We had a mixed ticket; I did not vote for all the republican ticket. I believe perhaps there was a candidate for governor on the democratic

ticket, but it was not a clear democratic State ticket. I voted quietly and without making any fuss. Four or five years after I was appointed trial-justice; the position sought me, I did not seek it. I was farming at the time in the vicinity of Ridgeway, and my white as well as my colored neighbors, from what they knew of me, thought I would make a good trial-justice. And I believe there have been no complaints upon that score since then; and I have never been conspicuous in politics. I was accidentally elected as clerk of the house of representatives two years ago. I am now reading-clerk of the Mackey house; you may say that is the only conspicuous position I have ever held. I was elected then as a republican, and I was re-elected in November last to the position that I formerly occupied.

Q. If anything else occurred within your observation you may state it.—A. The only thing is the general tone or conduct of the campaign in my county; it was this abuse personal abuse and threats; why, sir, it was not uncommon before the election, when I was walking along quietly to and from my office—I went to my office at 9 o'clock in the morning and at 3 went to my dinner—to hear men standing about the streets cursing and swearing, “The God damned radical, look at him; he has got to leave this country.” Mark you, sir, I am a native of this country, and before this campaign I had quite a number of friends, and I made but two speeches during the campaign. I was nominated as senator from that county, and I declined it because they had put behind me such a ticket as I could not afford to carry. Notwithstanding all these acts of mine I was told that I had to leave the county; that I must get out; that I must take my carpet-bag with me and my family, and go away. The excitement consequent upon that event—I reach now a painful point in my testimony and I only speak of it because it is in the general way—the excitement consequent upon the opposition of my neighbors to me was such as to cause me a very severe loss, I verily believe, sir. My wife sympathized with me in my political sentiments, and she was a southern woman, too, sir; and being of naturally a nervous temperament and excited at the peril that my life was in—I state this simply as a fact, and not for political effect, if the committee will excuse me—she contracted a severe cold, and died on the 26th of October, from this severe cold contracted and the nervous excitement. I could not leave her for a long, long while; nothing in the world, sir, but the nervous excitement, in which she contracted a very severe cold, developed itself into typhoid pneumonia. I speak of this to show that this thing reaches into every branch, into church, State, politics, business, and everything else. Why, sir, I believe my credit in my neighborhood is pretty good; I generally try to pay my debts; but I am refused credit, not on the grounds that I don't pay my debts, but that further indulgence cannot be granted to those who ally themselves against the best interests of the country. I believe I have a communication from the rifle-club captain to that effect. It is a private note written to me; I have had it in my pocket ever since.

Q. It has been stated by various prominent democrats here that the spirit—that is the word that they used—of the campaign upon the part of the democrats was peaceful. You may state whether or not such spirit manifested itself in the campaign in your county, as far as it came under your observation.—A. Why, my dear sir, as I have stated previously, nothing in the world but the timidity of the negro saved his life, and I repeat it—in my judgment, nothing but his timidity. If one man challenges another to fight and the other runs away, there is no bloodshed—of course not. Why, sir, it was just this; there was

little or no bloodshed, and on that day of the election there was little or no bloodshed, and for this reason, in my judgment.

I wrote to the United States marshal, Mr. Wallace, "If you don't send us troops here, we must have bloodshed." I wrote him as trial-justice. He sent some twenty-five or thirty troops. Their numbers were very greatly exaggerated, and it was stated that two or three or half dozen companies had come in. Four or five men were equivalent to one hundred men in these interior localities, where they were not in the habit of seeing them; and the consequence was that everything passed off quietly. We had ten soldiers at my precinct, Ridgeway, and I voted on the day of the election. The soldiers were not at the poll-box; they were some hundred and fifty yards off, or more, perhaps at an old house where they were quartered. It was that, sir, that prevented it in my locality, in my judgment. Men were there on that day, and though very little was said, it was the stillness of death. It looked to me like that the falling of a stone—that the throwing of a stone—would precipitate a difficulty. There was no drunkenness. The laws of the State prohibited the sale of liquor on that day, and there was sobriety.

Q. Were the whites armed to any extent at that precinct on the day of the election?—A. Well, whether there were many men armed I cannot say positively, because men carry their weapons concealed; but it is my impression that they were. There was nothing that called for them to show their arms; but my belief from their manner was that they were armed, ready for the slightest breach of the peace; but no breach of the peace was made at my box; but that the spirit of the campaign was aggressive and violent I am prepared in my judgment to assert; that, in other words, it was unsafe for a white man, a republican, under ordinary circumstances, unless surrounded by a set of fortuitous circumstances, to speak his sentiments.

Q. Have any incendiary fires ever occurred in your vicinity?—A. There has been but one fire recently, and that was a gin-house—a public gin-house.

By Mr. CHRISTIANCY:

Q. What, if any, reply did you make to these various gentlemen who called upon you and endeavored to coerce you?—A. I simply said, "Gentlemen, you can go on; I am content; you have driven me into passiveness; you have intimidated me;" just like that.

By Mr. CAMERON:

Q. You have seen some military scenes?—A. I was captain of horse-artillery in the Confederate States army, sir. I was originally a first lieutenant of artillery in the Hampton Legion, and in 1862 I was promoted to a captaincy and transferred to the army of the west, commanding a battery of horse artillery until the time of the surrender. Since then I have been a peace man. But speaking about this fire: About a week or ten days ago there was what is called a public gin-house burned. It is a place where the people carried their cotton to be ginned for toll, and it was run by one of these little portable engines. It was consumed in the night-time.

By Mr. CHRISTIANCY:

Q. That is something of which you know nothing, personally?—A. I know nothing of the burning, personally, but I have no doubt of the fact, because everybody says so, and there is no question about the fact of its being destroyed. I do not know whether that was the work of an incendiary; in fact, I don't know of the fire. There were some imme-

diately preceding small fires. I heard of a school-house being burned immediately preceding the election, but I do not know that such was the fact, and I don't know that it was incendiary; it was a colored school-house. Incendiarism is about as uncommon in my section of country as in any portion of the United States, sir.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. How long since have you begun holding office under this republican *régime* in this State?—A. I stated, sir, that about four years ago—I think in March will be four years ago—I was made trial-justice. That is the only office I held until I was elected reading-clerk of the house of representatives two years ago.

Q. Well, you are still reading-clerk?—A. I am; I was re-elected.

Q. You are still trial-justice?—A. I am, sir.

Q. So that you hold two offices?—A. Well, yes, sir; one is an appointment and the other an elective office by the legislature. Both of them may be regarded as clerical.

Q. You were appointed trial-justice?—A. I was, sir.

Q. By whom?—A. By Governor Moses originally, and reappointed by Governor Chamberlain. In both instances after my election I would state that as a matter—

Q. Were there any republican votes cast in your county at the late election?—A. Yes, sir.

Q. How did the republican vote compare with the republican vote at former elections?—A. Well, with reference to that, if you wish me to state correctly, I have not the information.

Q. Was it greater or smaller?—A. Yes, sir; it was less.

Q. How much less?—A. Well, the republican majority in that county has been over a thousand—fifteen hundred to two thousand—fifteen, sixteen, or eighteen hundred majority for the republicans. This time I believe the highest republican majority obtained by any man was about seven hundred and fifty.

Q. So that it would appear that intimidation has not done much harm?—A. Perhaps, sir, if it destroyed the whole majority of the republicans it might not have done harm; I don't know. I don't know what the harm is.

Q. The harm of intimidation would be to prevent the republican voters from voting as they wished; and yet it seems that they did vote very well in your county. You speak of rifle-clubs parading through your county and through your town at night for the purpose of intimidating the colored people and the white republicans; were you present at the institution of this organization?—A. What organization?

Q. The rifle-club organization that you told us about.—A. No, sir.

Q. Have you any personal knowledge about that organization at all?—A. Personal knowledge?

Q. Yes, sir.—A. I have given the committee what information I have. I only know from the statement of one individual that he is captain of a rifle-club, and that he stated to me the object of it.

Q. Have you seen them parading, sir?—A. No, sir; they don't parade in the day-time.

Q. Have you seen them parading at night?—A. No, sir.

Q. Were they armed with rifles?—A. So reported, sir; I have not seen the arms.

Q. Did you ever see any arms of that sort at all?—A. No, sir.

Q. I ask you whether you style every democratic club in your county a rifle-club?—A. O, no, sir; but the original democratic clubs in the main, as I am credibly informed, have organized themselves into rifle-clubs.

Q. But you told that a while ago; we only want your knowledge of things—your own knowledge.—A. My dear sir, you would not expect me to know whether there was a rifle-club or not at Ridgeway, apart from the fact of the assertion of a man that he was the captain, and backed by certain incidental circumstances that would confirm his statement as being true.

Q. O, yes, I do. If you had seen them parading and seen them mustering—A. That is exactly what they didn't do in the day-time. I staid at home in the night.

Q. If you had seen them parading or marching during the day or the night, but you don't testify to that fact.—A. No, sir; I could not testify to that.

Q. Or that you ever saw them with arms?—A. No, sir.

Q. I ask you if your people, black and white, do not carry what you call side-arms constantly?—A. I can answer that question by saying that I believe they do. I have not examined individuals, but it is a common belief that no man goes without his pistol.

Q. Is it not the habit in South Carolina for the people to wear what they call their side-arms?—A. As far as my knowledge goes, it is. In other words, I have seen gentlemen pull out their weapons and lay them on the mantel-piece when they sat down to smoke. I presume it is a common custom.

Q. I just want to get at how much your evidence is worth. I see it is opinion only. A man might give a very honest opinion about a great many things that he might have examined, and he might think that he possibly could not be mistaken, and yet he might be mistaken.—A. Of course might be mistaken even in what we see positively with our eyes.

Q. And it is possible that your opinions are groundless.—A. No, sir; I cannot admit that statement, and for this reason, as I am now attempting to show you why I cannot admit the possibility that I am mistaken, as far as my apprehensions are concerned: when I see men with arms in their hands on the road-side, and those arms discharged at me within less than fifty yards, and I move towards those arms with a pistol in my hand, and as I am moving towards them they move off, and I get close enough not to be mistaken; and on my return home I immediately demand that certain parties who discharged their pistols at me shall be arrested, of which, however, I have no certain evidence in the world except my sight. I am prepared to make an affidavit for the arrest of those parties for discharging their guns at me in the corporate limits of the town of Ridgeway, and I demand that they be arrested upon that at once until I can get other proofs. There is no other trial justice within twelve miles, and, of course, I could not issue process in my own case; and they refused to do that—

Q. Who was that, now?—A. T. Ellison, captain of a club at Ridgeway. Not only that, but it is upon this fact: after the discharge of these guns—these pistols—then that rifle captain comes to my house and makes offer of protection. I have thus got two very important proofs of the rifle-clubs, and I don't think there is a possibility of doubt as to their existence. My eyes might possibly deceive me, but it would be hard to convince my reason that I was not right.

Q. While that might have happened to you, do you infer from that

that it happened to every other republican in the county?—A. Not identically the same circumstances.

Q. Well, substantially the same circumstances?—A. Well, I don't say that every man in the county was attacked in that way, but I know that nearly every republican in the county was threatened and visited, from his own statement.

Q. Do you know that any considerable number of them were so treated of your own knowledge?—A. O, well, no, sir; not of my own knowledge; I know simply by their own statements; that is all. I am a man who stays at home and attends to my own business, and I am not supposed to have been in all portions of the county and examined into who has been assaulted or struck.

Q. You said you were one of the persons in South Carolina that wanted every man to exercise his own judgment and to vote according to his own views?—A. I do, sir.

Q. Do you regard the administration or the government in this State as a proper and a good one?

MR. CHRISTIANCY. I object to that question; you need not answer that question.

THE WITNESS. He don't ask my legal opinion, and I don't know that I have any objection to answering that question.

MR. CAMERON. That is not a matter that we have gone into at all.

MR. CHRISTIANCY. My objection is that it does not come within the authority of the Senate resolution, and that it is a question as to the merits of the two parties here, which question can only be decided by a fair election by the voters of the State.

Q. (By MR. MERRIMON.) Do you remember what the vote of your county was in 1874 for governor?—A. No, sir; I don't remember.

Q. Do you remember what it was at the late election?—A. I don't, sir, but I can approximate. Of course, the committee will excuse me; I have no data upon which to state this information accurately.

Q. But you are sure the republicans did not get the vote that they had in 1874?—A. I am, sir. Between seventeen and eighteen hundred was the majority in 1874, and in 1876 the highest majority that any particular candidate got was about seven hundred.

Q. I am asking you about the republican vote; not the white vote. I am asking whether the republican party got as high a vote in 1876 as in 1874?—A. No, sir; it did not.

Q. You understand, I am not asking you about the majorities?—A. Yes, sir.

Q. Do you not know that there has been no effort to bring out the democratic vote there since the war prior to the last election?—A. There has been. If you will excuse me, I will go back a little again to answer your question. In 1875 I took the census of the county myself, and I rode in every hamlet, village, and neighborhood there was in the county, and that census I swore to the best of my knowledge and belief was the accurate census of the county of Fairfield.

By MR. CHRISTIANCY:

Q. You believe it now, do you?—A. I believe it now and I believed it then. There was, according to that census, 3,380 colored men over twenty-one years of age. If you have the census return there I think you will find that accurate.

By MR. CAMERON:

Q. How many whites above the age of twenty-one years were there?

—A. There were 1,453 according to my return, if I am not very much mistaken; 1,453 white males above the age of twenty-one years. Now, what the vote was in 1874—I don't like to state that, for I really don't know what the vote was; I only know what the census was. There were approximating 5,000 voters in the county of Fairfield—about 4,800.

By Mr. MERRIMON:

Q. You say there were 5,000 voters?—A. Approximately.

Mr. MERRIMON. Here is the vote.

The WITNESS. What is the vote; I have not looked at the return.

Mr. MERRIMON. The report made by the legislature here shows that you voted in your county 4,991 votes.

A. I think that the vote of the county is approximately about that.

Q. So that your people, notwithstanding the terrorism and intimidation you have described to us, did vote their voting strength?—A. Yes, sir; exactly, sir, but give me the opportunity of an explanation. A man could not stay at home, a democrat or a republican, sir; he had to go and vote somewhere. And I know that on the morning of the election at every precinct in the county, as far as my knowledge goes—I know personally in reference to my own precinct, and by report from other precincts, that on the night before we had a terrible storm, and on the morning of the election from ten to eleven men went around in each precinct and drummed up every man; they rode the country through, and if a white man or a black man was found he had to go out and vote somehow.

Q. But the whites did not force the democrats out to vote their ticket, nor did the republicans force the colored men out to vote their ticket; it was equally active on both sides?—A. Yes, sir; it was active on both sides.

Q. So they did vote their voting strength, and nobody was killed on the day of the election?—A. Nobody was killed on the day of the election.

Mr. CAMERON. The vote for Bowen was 2,896, and for McGowan, 2,036?

Mr. MERRIMON. I take the vote for governor as certified to us by the clerk of the house of representatives; whether you take the one or the other it shows that the vote was full; that is all I care about.

By Mr. CAMERON:

Q. State if you know of any intimidation employed by democrats towards republicans for this effect, particularly towards colored republicans: "If you vote the radical ticket we will not furnish you employment, or we will refuse to rent you land."

Mr. MERRIMON. You can state what you know of your own knowledge, Mr. Marshall.

The WITNESS. Well, would resolutions passed and published in the newspapers be of my own knowledge, Mr. Merrimon?

Mr. MERRIMON. I should think not, sir.

The WITNESS. Then, sir, I know nothing, because no man has refused to employ me.

Mr. CAMERON. If you saw such resolutions in a daily newspaper you can state what they were.

Mr. MERRIMON. Have you got the resolutions with you?

The WITNESS. I have not got them.

Mr. MERRIMON. I object to his speaking of that unless he has got them.

Mr. CAMERON. You can state what the substance of the resolutions were; then, if you can find the resolutions we will attach them to your testimony.—A. I think I can find the resolution easy enough, sir; it was to this effect: "Whereas this is a strike for honest government and the people's rights," &c., "*Resolved*, That no aid, comfort, employment, shelter, or protection be granted to persons who ally themselves with the republican party." And as an evidence of that fact—though it is purely private matter—but as an evidence of the general fact, I have here a statement in these words, showing the existence of the organization—

Mr. MERRIMON. Let us see that paper before you read it.

The WITNESS. Very well, sir; I will submit it to the committee. [The witness hands paper to the committee.]

Mr. CAMERON. You can state whether or not you received that through the mails, or how you did receive it.—A. I received this by messenger by whom my note had been sent. I received in reply the following message—shall I read it?

Mr. CAMERON. Yes, sir; you may go on and read it.

The Witness reads as follows:

Mr. W. K. MARSHALL: We are unable to fill your order, having completed your contract. We are now under promise not to aid or encourage in any way any person who proceeds to array himself against the best interests of the State.

Respectfully,

R. S. DESPORTES.

OCTOBER 31, 1876.

By Mr. CHRISTIANCY:

Q. Do you know the handwriting?—A. Yes, sir; I have seen it frequently. It is in the handwriting of R. S. Desportes himself. I only show this as the Senator asked me if I had anything to show of my own personal knowledge. This of course shows that they were pledged not to aid republicans.

By Mr. MERRIMON:

Q. Didn't they have a right to do that in this free country?—A. That is a question of law.

By Mr. CAMERON:

Q. Had you sent an order to that firm to which you received that response?—A. Yes, sir; I had sent an order.

Q. Who is referred to as those who array themselves against the best interests of the State?—A. It has distinct reference to me, because they declined my order.

Q. On what ground did they have reference to you as such?—A. Because I was a republican, and had refused persistently to join them, the democrats, through entreaty or persuasion; because when I returned home from the North in March of last year this same R. S. Desportes suggested to me that we organize Chamberlain republican clubs. He had been a Chamberlain man, but when this excitement came up he went into the combination with the others. I also saw resolutions and statements in the newspapers, which I consider an evidence of it, but I give that simply as of my own personal knowledge; that is all I know.

Q. If you can furnish us with this resolution that you refer to, we would be pleased to have you do it.—A. I can do it; I am satisfied of that.

J. S. R. THOMPSON—SPARTANBURGH COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

J. S. R. THOMPSON sworn and examined.

By Mr. MERRIMON:

Question. How old are you?—Answer. Thirty-five years old.

Q. Where do you reside?—A. In Spartanburgh, S. C.

Q. What is your occupation?—A. I am a lawyer.

Q. With what political party do you affiliate?—A. I am a member of the democratic party.

Q. State whether you took any part in the late political campaign in this State, and, if you say yes, give us to understand how you participated in it, what line of action you took principally toward the colored people; whether it was one of violence or one of peace, and whether you sought to intimidate or persuade them to vote with the democratic party.

The WITNESS. Do you mean my individual action or the action I advised?

Mr. MERRIMON. Your individual action first.

A. Well, I certainly exercised no intimidation. I have a number of hands on my places in York and Union; I think some sixteen families. I told them beforehand that they might vote as they pleased; that I should not punish them in any way at all or turn them off. There are probably some sixteen or seventeen voters, and I urged them very strongly to go with me; out of that number I think about two went with me. I was not in York at the time of the election. Many promised to go with me who did not do it. They had their option to do so, and with the full understanding that if they voted the other way they could remain where they were, and they did so.

Q. Did you take much part in the campaign in your county, and did you know the movements of the party there?—A. Yes, sir; I went around to several meetings and spoke a few times. I was appointed by Governor Chamberlain as one of the county commissioners of the election, and I was engaged in that duty most of the time.

Q. State whether you were at a public meeting the night before the election, and, if you say yes, give us an account of it. One witness has sworn particularly that Mr. Solicitor Flemming went there to make a speech, and the whites pushed him off the court-house steps. Before that, he says, they beat him and made him go into the court-house to the democratic meeting.—A. I expect there is some mistake about that; the only thing I recollect—

Q. State whether there was a meeting and whether you attended it.—A. I attended a meeting at the hotel there where Mr. Flemming was pushed off the steps. That is the only thing I heard of any one being pushed off the steps the night before the election. I recollect that; but there was no meeting at the court-house the night before the election.

Q. Give us an account of that meeting.—A. The band came out and serenaded Mr. Ball, who was the democratic candidate for solicitor of that circuit, and he and some others spoke. Mr. Henry Thompson introduced the speakers. After the democratic speakers were through, Mr. Flemming asked the privilege of reply, which was given to him. There were probably six or seven steps to the hotel piazza, and they were standing on the top of the flight. The crowd was pretty thick, and I did not see any one push him at all, though the crowds were

pressing forward and backward and every which way, and I noticed that Mr. Flemming was pushed down, but he was helped up immediately, and Mr. Henry Thompson asked him to go on with anything further he had to say. He had concluded his speech at the time, and was just proposing some cheers for Mr. Chamberlain at the time it occurred.

Q. Was he injured in any way?—A. I do not think he was at all. He said that he was not hurt.

Q. What I wish to get at is whether he was pushed off in such a way as to insult, injure him, and drive him away.—A. Well, I was somewhat at the outskirts of the crowd, and I could not see whether he was pushed off on purpose or not, but he stated that he was not injured. My brother, Mr. Henry Thompson, asked him—

Q. Was that a riotous meeting?—A. There was a good deal of cheering, but I did not consider it riotous at all. There was a disturbance occurred about that time between a black man and a white man.

Q. Were you at the court-house on the day of the election?—A. I was.

Q. Give us your account of how the election was conducted there.—A. There was a larger vote than usual of colored people at that precinct. A good many came in from different portions of the county, from where their own boxes were. The election was conducted very quietly and fairly, as I thought.

Q. Was there any demonstration of violence there on the part of the white people or democrats?—A. None whatever that I saw. At one time there was one colored man arrested for voting under age. Some colored men tried to take the man away from the officers, and there was a little disturbance on that account, but not enough to interrupt the voting. It never interrupted the voting at all.

Q. Was the usual vote polled at your place?—A. Yes, sir; I think heavier than the usual vote.

Q. Did the republicans get their usual vote there?—A. Yes, sir; I think both parties got heavier than the usual vote.

Q. I believe you said you were one of the commissioners of election?—A. Yes, sir.

Q. Tell us who were your associates.—A. G. W. Moose and a colored man by the name of Joseph Young, sr. Mr. Moose was a white man and an Ex-Federal soldier.

Q. Mr. Darling, a witness before this committee, said that all the boxes and poll-lists were sent to W. R. Thompson, a democratic county canvasser, after the election; and on the night they counted them the democrats fired two tar-barrels in front of the office where they were counting, and hallooed so much and made such a disturbance that the republican chairman got frightened and left. State what you know about the canvassing of the county-vote, and what was done by your associates.—A. The papers were not sent to me originally, but to Mr. Moose, and Mr. Moose proposed that I should act as chairman of the board.

Q. He was a white man?—A. He was a white man. Mr. Young consented to it, and I did so. The papers were then turned over to me. They had been sent back to me. We agreed that our meetings should be held in my office, as we had no other place in which to hold the meetings. My office fronts on the public square. Under the law, the county commissioners of election have the appointment of managers of election at the different precincts, and the agreement that we made was, that each member of the board was to have the appointment of one manager. There were three precincts. We never had any diffi-

culty about the matter at all. Each one appointed his own man, and at the time of the election some changes had been made. The day before the election Mr. Moose made several changes in the appointment of his managers—men that he thought would suit better. Young made a few in his and I a few in mine. We commenced canvassing on Friday.

Q. Was that the third day after the election?—A. Yes, sir, the third day after the election. The managers had not brought in their returns until that time. They had three days in which to bring them in.

Q. Now, give us to understand how the returns were canvassed.—A. At the first meeting of the board when we organized as a board of county canvassers—we were commissioners of election before that, and the law directed us to then organize as county canvassers—I was selected as chairman of the board, and I proposed the name of Mr. Brice as secretary and Mr. Moose proposed Mr. C. A. Darling. Mr. Darling was elected secretary of the board. We went through the canvassing, and each return of the managers was examined both by Mr. Moose and myself. We compared the poll-lists and the returns. Mr. Darling having resigned, Mr. Brice was appointed secretary by the board.

Q. What made Darling resign?—A. Well, sir, on that day he was incapacitated for acting.

Q. What do you mean by that?—A. Well, sir, he was intoxicated.

Q. He got drunk and had to resign?—A. Yes, sir.

Q. What day was that; the first day?—A. That was the 10th day of November, the day we started to canvass.

Q. What was done then?—A. That evening Mr. Darling came back; Mr. Brice was still acting, and Mr. Darling assisted in looking over the additions and seeing that the vote was canvassed correctly. Mr. Moose and myself, however, did it carefully. On the next day the different duplicates and all were signed.

Q. Signed by whom?—A. By the members of the board.

Q. Pending this count, was there any demonstration of violence or intimidation there?—A. I did not see any whatever there. There was a public meeting on the day it was understood that General Hampton was elected, and there was a great deal of rejoicing by the people over it; and there was some excitement, but no demonstration of violence whatever. There were some tar-barrels set on fire in the public square, which was about the only place where they could make that kind of demonstration, but I know of no violence.

Q. State whether the board at any time was disturbed in its deliberations in any way.—A. None whatever; it was never disturbed in its deliberations.

Q. Did your associates at the time make any complaint that they were disturbed or intimidated?—A. None whatever. I have spoken to both members of the board about it. They both thought that the election had been carried on fairly, as far as they knew.

Q. Darling says that they hallooed so at that meeting and made such a disturbance that the republican chairman got frightened and left; is that so?—A. Mr. Moose, as I said, was not chairman of the board; I was chairman of the board. Mr. Moose left there that night, but for what reason I do not know.

Q. What night?—A. That was on Friday night, the 10th, and he came back next morning, and we met there together the next morning.

Q. You had not finished the work when he left?—A. No. I think we got through all except signing the papers. We staid there awhile longer and adjourned until morning, and met again in the morning.

Mr. Moose left there, saying, "I will be back in 15 minutes;" and I never saw him any more until the next morning.

Q. Is he a dissipated man?—A. Not that I know of.

Q. Did he object to signing the papers?—A. Not in the least.

Q. Did he express any fears that violence would be done to him?—A. None whatever. Next morning he looked again over the lists, and he pointed out some mistake in the addition, and we run over it again to be sure that we were right; we together ran over the additions of the different precincts, and he signed the papers without any hesitation whatever.

Q. Were you familiar with the movements of the democratic party in your county?—A. Well, tolerably so, sir.

Q. I ask you whether you, at any time, in any way, sought to induce the colored people to vote the democratic ticket by threats of violence or violence of any sort?—A. I did not, sir.

Q. I ask you whether it is within your knowledge that anybody else on the democratic side did?—A. I do not know of a single instance.

By Mr. CAMERON:

Q. What time on Friday did you commence canvassing the votes?—

A. I cannot tell exactly the time, but I think it was about nine o'clock—about that time, I would say.

Q. In the morning?—A. It was in the morning; yes, sir.

Q. What time did Mr. Moose leave the room where you were canvassing?—A. It was after dark. My recollection is that we adjourned. I know that I myself did not go to dinner, but I think we adjourned for probably an hour or half an hour during that time; and all the balance of the time until dark we were steadily at work.

Q. What did you and the colored commissioner do in the way of canvassing the vote, or do anything connected with canvassing the vote, after Mr. Moose left?—A. Not one thing. As I stated a while ago, I think that all the managers' returns had been canvassed—put down on the paper—and that all that was left to do was the signing. That is my recollection of it, but I am certain that we did no act at all after Mr. Moose left.

Q. Were the other two commissioners republicans, or understood to be such?—A. O, yes, sir; they were republicans.

Q. And you were chairman of the board?—A. Yes, sir.

By Mr. MERRIMON:

Q. Tell the committee how the vote has been running in your county for the last two or three elections.—A. I have forgotten the exact vote. The colored vote has been about fifteen hundred, I think; I do not recollect the exact amount.

Q. Do you know how many they voted at the last election?—A. Fourteen hundred and sixty-seven.

Q. What was the democratic vote?—A. Four thousand six hundred and seventy at the last election.

By Mr. CAMERON:

Q. What had the democratic vote been for a number of years prior to the last year?—A. I have forgotten. It was very much less than that, however, [witness refers to a memorandum.] In Spartanburgh in 1874, according to this list, which I think is correct, the vote was 1,540 republican, and 2,657 were what I suppose you might call the coalition or conservative ticket. Green was running.

By Mr. MERRIMON:

Q. How was it in 1876?—A. In 1876 the democratic vote was 4,670.

Q. How do you explain that increase in the democratic vote?—A. Well, sir, there were a good many colored people who voted with the democrats, and heretofore there has been a good deal of disaffection on account of the nominations made by the democratic party, but this time the vote came out fuller, I suppose, than it ever had been. In fact, I do not know of a white man hardly who failed to vote; in fact, men who were sick were brought out. The colored vote, I do not think, came out anything near so full as the white. The census of 1875 makes the colored vote nearly 500 more than they voted.

By Mr. CAMERON:

Q. What does it make the white vote?—A. According to the census of 1875 it was 4,367, and the colored vote was 2,015.

Q. Was the vote of Spartanburgh County full at the late election?—A. It was very full.

Q. That is, taking the whole voting strength of the county, the vote was full?—A. The vote was a very full vote, sir.

GEO. W. NICHOLS—SPARTANBURGH COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

GEORGE W. NICHOLS sworn and examined.

By Mr. MERRIMON:

Question. State your age, place of residence, business, and the political party with which you affiliate.—A. I am twenty-seven years old; I reside at Spartanburgh; I am an attorney; I affiliate with the democratic party.

Q. Did you take any part in the late political campaign in this State?—A. Yes, sir.

Q. State where you were, what part you took, and what means you had for observing the political canvass where you were.—A. In Spartanburgh County. I attended the different political meetings, at least a great many of them, in the county. Do you want to know the names of the different points?

Mr. MERRIMON. Give us a general idea of how many you attended. Were you a candidate for office?—A. Yes, sir.

Q. What office were you a candidate for?—A. Probate judge of the county.

Q. State whether you visited the various precincts in the county.—A. I think I visited nearly every neighborhood during the canvass. I attended some fifteen or twenty public meetings. At these meetings there were generally different speakers present, and the meeting passed off quietly. There was generally a free and open discussion; joint discussion was always requested.

Q. Did the republicans have a regular canvass for the various officers?—A. Yes, sir?

Q. Did you have a joint discussion?—A. Well, I do not believe that the county candidates were announced; they had regular State canvassers.

Q. Did they have a regular county ticket?—A. Yes, sir; they had a regular county ticket, but it was not announced; they had the tickets

printed, and on the day of the election they had their regular ticket. They had no nomination previous to the election that I know of. They kept it to themselves, if they had.

Q. Did the republicans join in these debates?—A. Yes, sir; at some of them. At the Court-House there they did frequently. In the county there were several meetings where colored speakers spoke—one place, at Glen Springs, I remember they were asked to participate in the discussion if they chose to do so, and one of their members, John Norris, made a speech. He is a colored man.

Q. State whether there were demonstrations of violence at any of those meetings.—A. No, sir; none whatever. Everything passed off quietly. The canvass was conducted upon the persuasive plan altogether. No violence was used.

Q. I ask you whether you sought to induce colored men through the means of threats of violence to vote the democratic ticket?—A. I did not.

Q. Is it within your knowledge that anybody else on the democratic side did?—A. No, sir; not within my knowledge.

Q. Where were you on the day of the election?—A. I was at Woodruff's precinct.

Q. What was your observation there as to the manner of conducting the election?—A. Everything was conducted fairly there.

Q. Was a large vote polled there?—A. Well, sir, I think the vote was perhaps 325. It was not considered very large. It was a very good vote for that precinct.

Q. What time did you get there?—A. I arrived there about seven o'clock, I suppose.

Q. How long did you stay?—A. I suppose the sun was about two hours high when I left there.

Q. Did you see Charles A. Darling there?—A. Yes, sir.

Q. What time did you see him there?—A. I passed him just before I got there. He and another gentleman were walking down. They had stopped about a quarter of a mile before they got there to leave their buggy. He got there only a few minutes after I did.

Q. He says that at Woodruff's place two or three hundred men crowded around the polls and interrupted the voting.—A. There was no interruption at all, that I saw, and I was present all the while; there were a good many about there. I do not suppose that while I was there there could have been that many present. It was very early, and a good many white voters, especially, came in during the day. The colored voters generally voted in the morning. There was no interference at all about there. Woodruff's is a little town, and the men were generally scattered about in stores and such places.

Q. Were you where you could have seen it if such had occurred?—

A. Yes, sir; as soon as I got there I went right up to the box, and I was about and near the box all the while.

Q. Do you know that anybody applied to vote and could not vote?—

A. No, sir; every one who applied to vote could vote; I know that.

Q. How long did Darling stay there?—A. I do not think he staid more than an hour. I noticed he was looking very strangely and I remarked to some one that perhaps he had been drinking, or something of the kind; I just judged from his looks; I spoke a few words to him as I passed him. I saw him walking off up toward Mr. Davis's, where he left his buggy, and I made some inquiries about it, and some one said he was sick.

Q. Do you know that he went off from there?—A. I saw him going off myself.

Q. Did you see him there any more during the day?—A. No, sir; I did not.

Q. He says that Philip Epstein went around and struck the tickets out of colored voters' hands.—A. If there is a man by that name in that neighborhood I do not know him. I was raised within four miles of Woodruff's, and I know nearly every colored man and every white man in the neighborhood.

Q. Did you see anything of the sort?—A. No, sir; nothing of the kind.

Q. He says that George W. Moore, republican chairman, had to lie out three days before the election. Do you know anything about that?—A. I could not swear to anything about that, because I do not know the fact. I do not know that he did or that he did not. I cannot see any reason why he should have lain out.

Q. Were you at a public political meeting the night before the election at Spartanburgh Court-House?—A. No, sir; I was not there.

Q. Mr. Darling stated that a man by the name of Flemming, county solicitor, had been beaten by the democrats there and pushed off the court-house steps. Do you know anything about that?—A. Well, no, sir. I never saw him beaten at all, and I do not know anything about it except what I heard. It was the hotel steps. But I was at the court-house on one occasion previous to the election—I do not know how long—when they had a meeting. There were some republican candidates for State officers there, and Congress, too, I believe. They had a meeting of their own that day in town, and they were invited by the democratic chairman to a joint discussion in the court-house at night. The people assembled there at an early hour after supper, and Mr. Flemming came in and made arrangements with the democratic party for joint discussion, and one or two others formed a committee to go and invite speakers at the hotel. He came back in a short time and said that Jones and Jillson were there from Columbia, and did not feel like coming down, and Mr. A. S. Wallace invited them to his room. Upon that announcement a great many of them got up to start out, and the democrats invited them to keep their seats; that they would be heard. There were two colored speakers allowed to speak that night. Mr. Flemming went out, and was gone a few minutes, and I heard a little fuss through the door, and, as well as I could see, some young men—I could not tell who they were—seemed to have hold of some one.

By Mr. CAMERON:

Q. Young white men?—A. Yes, sir; I suppose so; I could not see—it was a mixed-up crowd—in the confusion. In fact, I could not have told anything about whether it was Mr. Flemming if I had not been informed afterward that it was him, and from his general appearance I was satisfied it was him. There was no violence used at all that I know of. I suppose through mischief they gathered him up and brought him back.

By Mr. MERRIMON:

Q. What sort of a man is Flemming?—A. He is a man of general bad character.

Q. Do you know his general character?—A. Yes, sir.

Q. How is it as to turbulence and drunkenness?—A. It is bad. His general character in the community is bad.

Q. Is he a disorderly person?—A. Yes, sir.

By Mr. CAMERON:

Q. What disorders has Flemming been engaged in?—A. Well, sir, drinking, and fighting, and carousing around generally.

Q. When did he have a fight, and with whom?—A. Well, sir, he had a fight previous to the election with a young man by the name of Cleaveland, a young lawyer.

Q. Is Cleaveland a man of high character?—A. Yes, sir; he is a lawyer there.

Q. Is he a democrat?—A. Yes, sir. This was not a political difficulty at all.

Q. No; of course not.—A. It was something about their legal affairs. I saw him on one occasion very drunk, in pursuit of a trial-justice on the street, and the sheriff went up to him and told him he would have to put him in jail if he did not keep quiet; and he kept quiet for a few moments and the sheriff went off, and then he made towards the trial-justice again, who then told him that he must not come any further, or something of that kind.

Q. What other fights have you known him to be engaged in?—A. He had a fight with a man by the name of Thompson.

Q. Who is Mr. Thompson?—A. Mr. W. W. Thompson is a young lawyer in the place.

Q. Did you see the fight?—A. Yes, sir.

Q. Thompson is a man of high character there, is he?—A. Yes, sir.

Q. Thompson is a democrat, is he not?—A. Yes, sir. I saw this much of it: when I got to the door Mr. Flemming was down and had hold of Thompson, and they were holding him off, and holding him off, and I went to the scene right at once. Some one had hold of Mr. Thompson; perhaps it was the police.

By Mr. CHRISTIANCY:

Q. That is all you saw of it?—A. Yes, sir.

By Mr. CAMERON:

Q. When was that?—A. That was some time before the election, I do not know how long.

Q. Was Thompson an active democrat in the county?—A. He was a young man then. I do not suppose he had taken any part in politics.

Q. When was that—this last fall?—A. I think it was some time last year.

Q. In 1875?—A. I think so. Well, it might have been in 1874. It was early in 1875, or some time in 1874; I do not recollect the dates. I have seen him bruised up several times, from the effects of fights that I did not see him engaged in.

Q. You suppose that they were the effects of fights?—A. Yes, sir.

Q. You have seen him, then, engaged in two fights, and each time with a democrat of high character. That is so, is it?—A. Well, when he was pursuing the trial-justice, the trial-justice was a republican.

Q. You have mentioned two other fights, and you swear each gentleman with whom he was engaged in fighting was a man of high character?—A. Yes, sir.

CAPTAIN JAMES STEWART—RICHLAND COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

JAMES STEWART sworn and examined.

By Mr. CAMERON:

Question. Please state your rank in the Army.—Answer. Captain, Eighteenth Infantry.

Q. Where are you now stationed?—A. In Columbia.

Q. About how long have you been stationed in the State of South Carolina?—A. A little over six years.

Q. Where have you been stationed since about the 1st of July last?—A. In Greenville and Laurens and in this county.

Q. When did you go to Greenville?—A. I went to Greenville on the 8th of July, 1874.

Q. When did you go to Laurens?—A. I arrived in Laurens the 3d of September, 1876.

Q. How long did you remain there?—A. From then until the 15th day of November, 1876.

Q. You may state what occurred under your observation during the time that you were in Laurens. Our object is to ascertain whether or not republicans, and particularly colored republicans, were intimidated or prevented from voting in any way by the white democrats?—A. Well, I can't exactly state that.

Q. You can state the facts that came under your observation?—A. During the late election I remained in the garrison myself, and the other officers and the whole command. In the morning the United States marshal called upon me and asked me where I would be during the day. I told him that I and the officers under my command would be at the garrison, subject to any call that he or the United States commissioner should make. They never made any call upon us during the election.

Q. What came under your observation in reference to the election, if anything?—A. Everything appeared to pass off very quietly.

Q. What number of troops did you have?—A. I had about thirty men.

Q. Had you stationed squads of men in any other portion of the county?—A. Yes, sir.

Q. At what other precincts had you men stationed?—A. I sent Lieutenant Miller and ten men out to Clinton.

Q. Were you present at any political meeting held in Laurens prior to the election?—A. No, sir.

Q. Did you make any journeys through the country away from the court-house town?—A. Yes, sir; but that was upon private business, not upon public business.

Q. Did anything special come under your observation during those journeys?—A. No, sir; there was nothing occurred except what naturally would occur at any meeting. Of course I was not concerned, and I took no notice of it.

LIEUT. GEORGE S. HOYT—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

GEORGE S. HOYT sworn and examined.

By Mr. CAMERON:

Question. State your rank.—Answer. Lieutenant, Eighteenth United States Infantry, United States Army.

Q. Where were you stationed on the day of the last election?—A. At Edgefield, S. C.

Q. At which voting-box, if either, were you stationed particularly?—A. At box No. 2.

Q. Please state what came under your observation at box No. 2.—A.

When the company arrived, about fifty yards from the polling-place, it was halted, and I was directed to take four men and go down to the polling-place to assist Deputy-Marshal Beattie in forcing his way through the people who were crowded together there so that the voters could not gain admittance to the house to vote.

Q. When you went to the court-house, in what condition did you find it as to whether access could be gained readily or not?—A. I found, I should say, from thirty to fifty mounted men, all armed with revolvers in their hands, and some with clubs, drawn up in front of the entrance as closely as they could be, apparently to prevent the colored people from getting in to vote. By direction of the marshal, I took my men up to open the way so that they could go in to vote. I went inside the building through a window, used as an exit for the voters, and then out at the door and opened the way from the door through these horsemen so as to give the people a chance to come through. I had four men with me, and as we marched out I ordered the horsemen to give back and they crowded their horses back so as to give way for the men to come out. I then posted sentinels to keep the way open.

Q. How long did you remain there?—A. At this time it was about ten o'clock; I remained there until about twelve, when another officer relieved me from that immediate duty until two o'clock; then I was on the same duty from two to four, and the other officer from four to six, when the polls closed.

Q. What can you say as to whether the crowd 'round about were armed or not, and whether they were orderly or disorderly?—A. At the time I went down to the house there were some men, who had voted, coming out. The way it was managed was to take ten in at a time and swear them, and then they would vote and come out to make room for more. They opened the door to admit some more, and the negroes in front tried to get up to the door through the white men, but they would not allow the negroes to do so; two or three did, however, get through between their horses, in some way, and came up on the platform. One of them was struck over the head by a club in the hands of a democrat, and knocked off from the platform. I then spoke to the marshal about the condition of affairs there, and asked him if there was not an officer of the polls who could make these people go back, so that the negroes could come in and vote, and Mr. Sheppard, who, I think, was supervisor of the polls, stepped out and told these mounted men to get back, away from the door, so that the people could come up and vote. They paid no attention to what he said, and I heard the remarks made that they would not do so; that the damned niggers should not vote. Mr. Sheppard came back and said that he could do nothing with them. Then the deputy marshal asked me to clear the way through them. As regards arms among the white men that I saw around there in the immediate vicinity of the poll, they were armed with revolvers without an exception that I noticed; I noticed no exception.

Q. Were revolvers exposed, strapped around them?—A. At the time the way was opened some of their revolvers were in their belts and some were in their hands, apparently ready for use.

Q. After the polls were closed that evening, will you please state whether the town was orderly and quiet, or whether there was disorder in the town?—A. I heard some noise, but could not say much about it, because I lived three or four hundred yards out of town in a house, and could not say much about the condition of the town that night of my own knowledge.

Q. What was the condition of the town on the night of the 6th, if you

know?—A. Of my own knowledge I could¹ say nothing about it; of course, I heard a great deal about it.

By Mr. CHRISTIANCY:

Q. Did you hear any firing of guns or see any white men parading through the town the night before the election?—A. I saw the white men in the town the night before, and that night, as I was going back from the hotel where I had been to take the commanding officer's mail to him; I had a lantern in my hand, and a person ordered me to halt. I paid no attention to it and went on. When I arrived at the hotel I saw a crowd of persons on the street, but I could not say whether it was that crowd or not.

Q. Were they mounted?—A. No, sir.

Q. As to noises and firing of guns on the night previous to the election you may state.—A. I could not say anything about that of my own knowledge; as I said before, I was staying some two or three hundred yards outside of town, and I didn't hear anything special after nine o'clock at night, because I went out home at that time.

Q. How many days before the election did you arrive at that place?—A. I arrived there on the 22d of August. I left to go North on leave of absence on the 3d of September, and returned on the 26th of September, and then remained there until the 13th day of November.

Q. Between the time you arrived there the last time and the time you left, did you notice, prior to the election, anything in the way of intimidation on the part of the white population toward the colored people?—A. Well, I saw things down there that had that appearance to me.

Q. Describe what they were.—A. About the 14th of October, I think it was, there was a republican meeting announced to be held in a grove there, and I saw rifle-clubs, as they were called, come in there from the country in all directions and assemble in large numbers, and I heard some white men in Edgefield say that they were going over to the meeting and going to divide the time with them, and nearly all of these clubs that I speak of were armed with revolvers, and were mostly uniformed with red shirts.

Q. Did you see them do anything more than that, or hear them make any threats at all to the colored people?—A. I don't think I heard any threats before the election.

MADISON CRAWFORD—MARION COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

MADISON CRAWFORD (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Marion County.

Q. How long have you lived there?—A. Well, sir, I was born there.

Q. How old are you?—A. About thirty-five years old.

Q. Are you a relative of Simon Crawford, who testified before this committee yesterday?—A. Yes, sir.

Q. What is the relationship between you?—A. Brothers.

Q. Are you a republican?—A. Yes, sir.

Q. Where were you during the political campaign before the last election?—A. I was right up home, sir.

Q. Did the democrats do anything to you?—A. Yes, sir.

Q. Tell what they did to you. Tell your story right through.—A. They came to my house, and came up right there; and I have got a lane that comes up to my house—

Q. About what time was that?—A. Well, sir, I think it was about the 19th or 20th, as well as I can recollect now.

Q. The 19th or 20th of October?—A. Of September, I think. Some of them come right up in front of the house, and I was there in my garden right back of the house, and some rode up the lane and stopped and got down off their horses and pulled down the fence and was going to ride through the cotton-patch, and I started down there to see, and when I got within about thirty yards they commenced shooting at me as hard as they could, and I stood there until they shot once or twice, and then I turned back, and they said "Halt," and I would not halt, and they got on their horses and commenced running their horses right after me, and I broke and run.

Q. How many white men were there?

The WITNESS. What, in the field?

Mr. CAMERON. Yes; how many were in the field?

A. About fourteen altogether; there was only two in the field there. The balance of them was at my house. The night before that they had went to Brother Simon's and shot one man there, and shot a boy. The man was my wife's son, and that morning she taken my cart and horse and went after him and brought him to my house.

Q. Did he die?—A. Yes, sir; he died that night, and they taken a gun out of my house—

Q. You have told us that these men commenced shooting at you and you broke and run?—A. Yes, sir.

Q. Where did you run to?—A. I ran down to the branch.

Q. Did they follow you?—A. They followed after me until they got to the branch.

Q. Did you cross the branch?—A. Yes, sir; I run down to the branch and he was riding; and he rode down to the branch and I jumped out of the field down to the branch, and then he stopped and went back to the house; and there was three or four mens there come in to see the man that was shot, and they marched them right into the house.

By Mr. CHRISTIANCY:

Q. The colored men came in?—A. Yes, sir; and they made them go into the house, and they drew their pistols on two of them and told them that they had a great mind to shoot them, and did strike two of them over the head with their pistols; but then I didn't see that. That is what they told me when I went back to the house.

By Mr. CAMERON:

Q. How long before you went back to the house?—A. In the course of half an hour, or a quarter.

Q. What did you find when you went back to the house?—A. I found them colored men there.

Q. Had the white men gone away?—A. Yes, sir; I staid there until they all left. I was down the branch looking at them, and could see them leave, and then I went back.

Q. About how many times did they shoot at you?—A. Well, sir, I can't state how many times.

Q. Did they hit you?—A. No, sir; they didn't hit me. I could hear the shot come pretty close, and sometimes a ball would strike behind

me and sometimes before me. There was two shooting at me, one right straight behind and the other right against me.

Q. Did they shoot at you with pistols or guns?—A. Pistols, I think.

Q. Did they say anything to you?—A. They only said, "Halt," and that was when they first started; but they didn't say anything else to me.

Q. At what place was this young man shot?—A. He was shot at Simon Crawford's house.

Q. Did they do any injury to your property?—A. No, sir; they didn't do any injury to my property.

Q. On what day of the week was this young man shot; do you remember?—A. I think it was on Tuesday.

Q. When did he die?—A. He was shot on Tuesday night, and he died on Friday night.

Q. Did he tell you who shot him?—A. He told my wife; my wife was his mother.

Q. How old was the young man?—A. He was about twenty-two years old.

Q. Did you go up to your brother Simon's after that?—A. No, sir; I didn't go there, I don't think, until about two days after that.

Q. When you got to your brother Simon's house, in what condition were his house and property?—A. Well, sir, it was in a very bad condition, as I thought.

Q. Tell us what the condition was.—A. His kitchen doors was broke down, and his cotton-house, where he kept his cotton, the door-facing was shot right smitten, and some of the garden-palings around the house was broke down.

Q. Was your brother Simon at home at that time?—A. No, sir.

Q. Was his family there?—A. No, sir; his family was not right there; they left the house the night they shot that boy, and some other people was living on his place. I think his wife had rented the house to another woman. She said she was scared to stay there.

Q. How far did you live from your brother Simon's place?—A. I think I lived something over a mile.

Q. Did you go to your brother Simon's after that?—A. Yes, sir; about two days after that, I think.

Q. Was there any more injury done to his property; was his wine taken away or his store of goods destroyed; do you know anything about it?—A. No, sir; I didn't see that. I didn't go to see the wine. They told me when I got there that they had been into the wine, but I didn't go into his store or look at the wine.

Q. Did you see anything of these rifle-clubs riding around through the country?—A. Yes, sir.

Q. Tell us about that.—A. Well, they just kept riding through the country for some time; I can't tell you how long.

Q. Did they generally ride in the night-time or in the day-time?—A. They rode mostly at night.

Q. Did they make any noise or shoot off guns as they were riding around?—A. Sometimes they were and sometimes they were not.

Q. What effect did that have upon the colored people; did that make them run to the swamps?—A. Yes, sir; a good many went to the swamps, and a great many just quit home for some three or four days, because they said they was going to shoot them if they didn't vote with them this time, and talking all such things as that, and that scared them, you know. The colored people didn't believe it—that they would be shot if they didn't vote with the democrats—until they shot the lead-

ing men, and then they believed; and I believed it, too, after they shot at me. I didn't much believe it before; but I believed it after that.

Q. Where did you stay nights after that?—A. Sometimes I would stay out of my house for two nights, and sometimes I went off to some neighbor's house. I lived right on the public road, where they traveled mostly, and sometimes I would stay at home in the barn and kitchen and about, and lay out at night for a while, and then I would come in the house sometimes.

Q. Where were you on the day of the election?—A. I was at Marion village.

Q. Was there any disturbance there that day?—A. No, sir; not a bit while I was there.

Q. Were there any soldiers there?—A. Yes, sir; there was some.

Q. How long did you stay at Marion on the day of the election?—A. I staid there the bigger part of the day; I don't know exactly how long. There was very peaceable times when I got there and very peaceable times when I left.

Q. When did you come away from home?—A. I came away from home night before last, sir.

Q. Why did you come here; to see your brother?—A. Yes, sir.

Q. Have they troubled you any since the election?—A. No, sir; they have not troubled me any since the election.

Q. How have they behaved in the country around about since the election?—A. They didn't interfere with any one no more than they won't let them stay in their houses. It isn't safe to bother them any more than that. They said, "We won't hire them or have anything to do with them any more."

Q. On whose land are you living?—A. On my own land.

Q. How much land do you own?—A. Only twenty-five acres.

Q. Have any colored men in that neighborhood been driven off their farms because they voted the Republican ticket?—A. Yes, sir.

Q. How many of them?—A. I can't tell you how many, sir.

Q. A good many?—A. Yes, sir; the most of them. In fact, I know some four or five that has moved, and they won't hire them, and they say that they have got to go away.

Q. What reason do they give for not hiring them?—A. Because they voted against them.

Q. Because they voted the republican ticket?—A. Yes, sir; because they voted the republican ticket. They say they are not their friends, and they won't have anything to do with them; they say they are their enemies, and they won't have anything to do with them.

By Mr. MERRIMON:

Q. Did you vote?—A. Yes, sir.

Q. You voted the radical ticket, did you?—A. Yes, sir.

Q. Nobody interfered with you?—A. No, sir; nobody interfered with me, any more than since the election. Do you mean before?

Mr. MERRIMON. No; the day of the election.

The WITNESS. No, sir; nobody interfered with me on that day.

Q. Did all the colored people vote there?—A. Yes, sir; there was colored people voted there.

Q. Did they vote the radical ticket?—A. Yes, sir.

Q. Did any of them vote the democratic ticket?—A. Yes, sir.

Q. How many?—A. I can't tell you, sir.

Q. Was there a pretty big crowd of them?—A. Yes, sir; right smart

of them, so they told me. They were voting when I got there and voting when I left.

Q. What were those white men after your brother for?—A. Well, they said on account of his being the strongest republican there was. They said that he was the leader of the republican party, and if it was not for him they could manage the balance.

Q. Did the sheriff have a warrant for him?—A. No, sir; not when he went there.

Q. How do you know he did not?—A. Why, he said he didn't.

Q. He just went there to shoot him because he was a republican?—A. Yes, sir.

Q. Why did he not shoot him?—A. I don't know, sir; because they could not get a fair chance, I reckon.

Q. If they had got a fair chance they would have shot him, wouldn't they?—A. I can't say what they would have done if they had had a fair chance.

Q. How many colored people did they shoot there?—A. They shot two, sir.

Q. Are you sure that they did not shoot six?—A. Yes, sir.

Q. Now recollect a minute, and see if they did not shoot six.—A. No, sir; they didn't shoot but two, from what they told me, and them two I saw. I never heard of six; only two—the one that died and this boy that is here with Simon.

Q. They shot them because they were republicans, did they?—A. I suppose so, sir.

Q. How old was the boy?—A. I reckon about sixteen or seventeen; I can't say his age exactly.

Q. Is he a prominent leader there too?—A. No, sir; not this boy.

Q. They didn't shoot him because he was a leader?—A. I don't know what they shot the boy for.

Q. Who told you to come down here?

The WITNESS. To come here to see my brother?

Mr. MERRIMON. Yes.

A. Nobody.

Q. Did he not send for you?—A. Yes, sir; he sent for me last week, when he was sick, to come down and see him.

Q. Did you not agree to come down here and help him make out his case?—A. No, sir.

Q. You are sure of that?—A. Yes, sir; I am. No, I did not agree to come down here and help him make out his case, because I didn't know anything about it.

Q. You are not a leader, are you?—A. No, sir.

Q. Why did they shoot at you?—A. I can't tell you, sir.

Q. I reckon they shot at you because you were not a leader; don't you reckon that was it?—A. I can't tell you. You can give just as much idea about that as I can.

Q. Don't you think that was the reason; because you were not a leader?—A. I don't know, sir; I expect, though, they shot at me because I was a republican.

Q. Didn't they charge you and your brother both with some crime—with insulting a lady in that neighborhood?—A. No, sir; I was never charged with any crime that I know of.

Q. Did they charge your brother with having insulted a white lady there?—A. No, sir; there is no lady living there.

Q. Well, in the neighborhood around there somewhere?—A. No, sir; I don't think so.

Q. You are sure of it?—A. Yes, sir; I am sure of it.

By Mr. CAMERON:

Q. I will ask you if the boy who was shot was with your brother at the time he was shot, and was at your brother's house when he was shot?—A. Yes, sir; he was at my brother's house.

By Mr. MERRIMON:

Q. Does Mr. John G. Blue live at your town?—A. Yes, sir; if you mean Lawyer Blue, he does.

Mr. MERRIMON. Yes.

ROSE MOODY—MARION COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

ROSE MOODY (colored) sworn and examined.

By Mr. CAMERON:

Question. How old are you?—Answer. I don't know, sir, exactly; about twenty-one, I reckon.

Q. Where do you live?—A. I live in Marion County, South Carolina.

Q. Do you know Simon Crawford?—A. Yes, sir.

Q. Have you lived at his house?—A. Yes, sir; I staid there twelve months; this last past twelve months.

Q. Were you there at the time some white men came to his house and tried to shoot him?—A. Yes, sir.

Q. You may tell us about that.—A. They came on Saturday night; I can't tell what day of the month it was, but I know it was the Saturday night before the election, and they hollered, "Have a light here, Simon," and Mr. Crawford was in the store which joins the house; he had went in there and laid down on the counter, and had the door locked inside, and he said to his niece, his sister's son, for him to go and carry a light out there, as he expected that some one had broke down right at the side of the public road that we lived on. He went out, and by that time they knocked the light out of his hand and said that they "didn't want the damued light," and then a man went right in the house, and the door was open the back way at the hall, and there was a bed, and they looked in there and didn't find anybody, and by that time they commenced asking, "Where is Simon? Where is Simon?" Mr. Crawford says, "Here I am, in this room," and asked them what they wanted with him. They said, "Come out here; come out here." Simon said, "What do you want?" and in that time Sheriff Berry asked me where was the door, and I told him to hunt for the door. I didn't know what he wanted. He kept on looking, and Mr. Crawford in the room said, "Here's the door, round here; what do you want?" Mr. Berry said, "Come out here." Simon said, "What do you want?" Mr. Berry said, "I want you to come out here." Simon said, "I won't come till you tell me what you want." He said, "I know who that is; it is the sheriff; what do you want with me? Have you got any warrant for me? If you have got any warrant for me I will come out. What have I done for you to be after me. I ain't done nothin'."

Mr. Berry said, "I ain't got no warrant, and don't want none for a damned radical nigger;" and that he was going to have him anyhow. Then Simon told him he wasn't coming out; if he had to die, he would die right there in his room. So Berry steps to the door and hollers, "O, yes; O, yes; all in favor of taking Crawford and taking him out of his room and putting him to death, let it be known by saying 'aye.'"

And it appeared to me like about thirty or forty hollered "aye;" and by that time the house was full, all that could get in. And they went into the house and began to search all around the house, and Mr. Crawford told them, "I ain't going to run, because if I have got to die I haven't got anything to run for, and I am going to die in the house where my family is." The sheriff told him to come out, but he said he wasn't coming out till he told him what he wanted with him. Another man, by the name of Bill Evans, was there, and he said, "Simon, if you'll come out I will shut the door and keep all the rest out." Mr. Crawford told them then, "If you will shut the door and only two of you stay in and fasten the door inside, I will come out and let you talk to me." In that time this Keith Crawford ran off. His brother, Solomon Crawford, didn't live very far from there, and he went and told his brother that there had come some men there and were going to kill Simon. By that time Solomon and Moses Lamborn came, and he ran over there at that time to ask what was the matter, and Mr. Crawford told them that Sheriff Berry had come there with a crowd of men to kill him, and he didn't know what for. Mr. Crawford came out then and he didn't talk quite so bitter. Mr. Crawford came out and asked what they wanted, and he went to Capt. Bill Evans to ask him what he wanted. And Bill Evans told him that he wanted him to go to the sheriff, for the sheriff was in command. And he went to the sheriff, and the sheriff told him that his business there to-night was to make him change his politics or it would be death that night, and that he had just got to change. Mr. Crawford told him then that he didn't vote the radical ticket for money; he voted it for principle. He said that's the season he voted. Then he told him all them damned radicals was the cause of South Carolina being where she was, and told him there had been a great alteration, and if he didn't change he was going to kill out everything in that country. Sheriff Berry told him that. And he told Mr. Simon Crawford if he didn't change his politics he was going to kill him. And he told him, "I will see you after now." That was the last word he spoke to him. He told him some two or three different times he had better reform; if he didn't he would see he had better. And he told him he would see him after now. They went off then, on Saturday night, and Mr. Crawford went off on Monday evening. I don't know where he went to. I never knew till he came back. And Mr. Berry came back again. He left on Saturday night and didn't come back till Tuesday night.

The same crowd came back Tuesday night and shot amongst us all, and there wasn't nobody there but Mr. Crawford's wife and Mr. Crawford's sister's son and another young man who was there that night. And they went in there and shot among us all, and carried me out and put a pistol to my head, and told me they would kill me if I didn't tell where Simon was. I told them I couldn't tell to save my life. And I swore to them I didn't know, and if they killed me for that, they would have to kill me with the truth in my mouth. And that was Tuesday night. I begged mighty hard for them to let me off, and I prayed and cried for them to let me off; and they let me off at last. And I got off a piece and then they shot at me; anyhow the ball went into the gate-post right near me. And they took Archie Burnett and Keith Crawford both out, and Sheriff Berry kicked Archie two or three times, and struck him over the head with his pistol and carried him outside the gate and asked Keith where was Simon. Keith told him he didn't know. Then he asked Archie Burnett where Simon was, and he told him he didn't know; he told them he just came before dark that night.

Berry said he did know, and that it was a damned lie, and they shot Keith through the thigh, Sheriff Berry did. And then he wheeled around and shot Archie Burnett, shot him through the small part of the back. Archie Burnett lived that night out and next day, and he lived all day Wednesday, and Wednesday night he died. That was done on Tuesday night, and on Wednesday morning, I reckon between eight and nine, they came back again, Sheriff Berry did, and we all ran off of the place again into the woods on Mr. Crawford's place, but only one old lady, and she was so old she couldn't run, and Wednesday she was there and she staid. And they went and made her give up the keys of the cotton-house, and they went to the cotton-house, and there was a barrel of wine in the cotton-house, and what they didn't drink they poured out and wasted. And they went into the store and scattered the things all about, and destroyed ever so many of them, and took and pulled the stopper out of the molasses barrel and let it run. They asked her what it was, and she told them it was molasses, and they told her it was a damned lie.

By Mr. MERRIMON :

Q. Did you see all that with your own eyes ?—A. I saw the molasses there when I came back, and there's some one here that did see it ; all the balance I seen ; I was right there.

By Mr. CAMERON :

Q. You were there when they shot at you ?—A. Yes, sir ; I was. I ran that night when I got a chance, and that was after they left ; and Wednesday morning I was there when they came, and I ran and got off then.

Q. How many were at the house there on Wednesday morning ?—A. Next morning, after cousin Keith Crawford was shot and couldn't walk, then there was a little boy, next-door neighbor, that was sent off to Simon Crawford's brother Madison to tell this woman that Archie Burnett was shot ; and she sent for him, and as she sent for him that morning they had done been come and gone again before she came after him. When they came again York Crawford was there, and me, and Mr. Simon Crawford's wife was there, and another woman ; she is in here.

Q. How many white men were with Sheriff Berry ?—A. I can't imagine how many. I didn't take time to count, I was so scared. I didn't know but very few that was with them.

Q. Archie Burnett died ?—A. O, yes ; he died.

Q. And the Crawford boy was shot through the thigh ?—A. Yes, sir ; Keith Crawford was ; and that morning, while we were all running, they shot York Crawford through the shoulder. He got well and Keith got well.

Q. When did you come back to the house after they drove you away that Wednesday morning ?—A. I never went back no more at all. It was a fortnight before I went back any more. It was Sunday, and it appeared to me like they staid there nearly a week. I went in the bay and staid there.

Q. What is the bay ?—A. In the swamp. I could hear them shoot every night, and we 'lowed it was up at the same place.

Q. So you kept hid in the swamp ?—A. Yes, sir, until I heard the news that they were gone down to the village, and then we went back.

Q. In what condition did you find Mr. Crawford's house when you went back ?—A. The doors was open and all the things in his store was scattered all over the house, and the cotton-house door-facing was shot,

and the barn-doors and things was open, and the kitchen-door was open, too, and knocked off the hinges, and the hinges was knocked off the door. Part of the things in the store was all destroyed, and we couldn't give an account where they was when we went back.

Q. What did Berry say he was doing it for?—A. He told Simon it was because he was a damned radical, and he had to change his politics or else he would cut him to death. He told him that was his business there, and he had it to do. "The damned radicals was the occasion of putting South Carolina where she was." That is the way he had it.

By Mr. MERRIMON:

Q. Simon Crawford hadn't done anything at all, had he?—A. No, sir, he hadn't.

Q. They did not make any charge against him?—A. No, sir. That was before the election.

Q. Did they not charge him with having insulted a white woman there in the neighborhood?—A. No, sir; and he hadn't.

Q. Did they not charge him with it?

The WITNESS. Charge him with it?

Mr. MERRIMON. Yes.

A. No, sir, they didn't.

Q. You never heard of it?—A. No, sir; I never heard of no such.

Q. You never heard it intimated by anybody?—A. No, sir; he didn't do it, either.

Q. Did you ever hear Simon Crawford say that they charged him with it?—A. No, sir; I never heard none of them.

Q. When did you talk to Simon last about this thing?

The WITNESS. Me?

Mr. MERRIMON. Yes.

A. I haven't talked with him about it at all, because I didn't have no talk with him about it. I ain't doing Simon's talking at all.

Q. How long since you saw Simon?—A. I saw him to-day.

Q. And you didn't talk with him?—A. Not about that.

Q. You never have talked with him about the case?—A. No more than just talk about how they done him.

Q. Have you talked that over often with him?—A. No, sir; I had no occasion to talk it over often because I was right there and seen what they done.

Q. How came you to be down here?—A. I came down here as a witness.

Q. When did you come?—A. I don't know, sir, exactly now, but the rest of the gentlemen here has it down in the book, I reckon.

Q. Did you not come with Simon?—A. Yes, sir, I came with him, but I can't tell what day of the month it was.

Q. That was his matter?—A. Yes, sir.

Q. He brought you down?—A. I came with him when he came.

Q. What did Simon come down for—to get his rights?—A. I reckon he did.

Q. And this was all done for nothing?—A. All done because he was a radical.

Q. And nothing else?—A. That's what they said they were doing it for.

Q. Who told you to say that it was done because he was a radical?—A. They told me so; that is, I heard it right there.

Q. Is the sheriff of your county a bad man?—A. I don't know whether he was a bad man before that or not, but I know he kicked up mightily at that time.

KEITH CRAWFORD—MARION COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

KEITH CRAWFORD (colored) sworn and examined.

By Mr. CAMERON :

Question. How old are you?—Answer. I guess I'm about nineteen.

Q. Where do you live?—A. I live here in the city now.

Q. Do you live in Marion County?—A. Yes, sir.

Q. Do you know Simon Crawford?—A. Yes, sir; he is my uncle.

Q. Did you live at his house last fall?—A. Yes, sir.

Q. Were you shot there?—A. Yes, sir.

Q. Tell us about that shooting; how it happened.—A. Well, sir, Mr. Berry was coming on to Simon on Sunday night, and he came there and told Simon that it was his intention to kill him that night if he didn't change his politics. Then he rared around there right smart, and when he first came he called for a light, and I carried a light out for him and he told me that he didn't want nary light, and asked where was Simon Crawford. Rose Moody she told him he was in the room, and Simon answered and said here he was; then he tried to come in Simon's room, and he seed there was no chance to get in to him, and Simon asked him what he wanted, and he wouldn't tell, but told him to come out and then he would tell him. Simon told him he wouldn't tell him unless he told him his business; Simon said that was no kind of a way to come into a man's house, and he wouldn't go into his house that way. Mr. Berry said that he was going to have him out of there if he had to take him out by force. Simon told him that he wasn't coming, and Berry told him that he was a damned radical, and that he was going to have him or kill him; and told him that he understood that he had up a club-meeting, and that he had it to stop, and if he didn't he was going to kill him. He told him if he didn't change his politics he was going to kill him; that was his business there to-night. So Simon wouldn't come out. Simon told him that he had better be in better business than coming there killing him for his politics, and if he hadn't used more such men as he was in that way there would be more ruination to the country than there was. Mr. Berry told him that he was a God-damned liar; and then he kept on after Simon, but he couldn't get him to come out; and Simon told him then if he would drive out all his force from the house, he would come out and talk to two of them.

Q. You mean that he would come out in the hall?—A. Yes; in the hall, and talk to two of them; and then he did so. Mr. Berry drove all the rest of the men out, and then him and Mr. Berry and Mr. Bill Evans they talked to him after he came out in the hall; and they told him then that they understood that he had got a force got up and club-meeting, and they had come to let him know that he had it to stop, and if he didn't, that they was going to kill him; that was his business here to-night. He told Simon that he was the head man of this club, and he had it to stop, or else he was going to kill him. He didn't have nothing more to say to him then; only when he went to leave, he looked back and said, "If you don't reform, you had better." He repeated that word three times before he left that night. Tuesday night he brought his crowd back there again, too.

Q. How many white men were there with him?—A. I couldn't tell you exactly how many there was. I know the place was full of them.

There was some twenty-five or thirty. He had a great big force of them there.

Q. Were they armed?—A. O, yes, sir; the best part of them had guns, and the rest had their pistols.

Q. What did they do when they came back Tuesday night?—A. They shot me and shot another man by the name of Archie Burnett, and they killed him.

Q. Where did they shoot you?—A. They shot me through the right leg.

Q. Where were you when they shot you?—A. I was out in the road. They took me out in the road and shot me.

Q. What did they ask you when they got you out in the road?—A. They asked me where Simon Crawford was, and I told them I didn't know where he was. They took this man that they killed and carried him out there and kicked him and abused him about, and told him he was a damned radical, and they were going to kill him; and told him that he was a damn son of a bitch, and kicked and beat him about there powerful.

By Mr. CHRISTIANCY:

Q. They did that before shooting him?—A. Yes, sir; before they shot him; after they did that, Mr. Berry took and caught hold of me and jerked me, and threw me just about a yard from him, and shot me through the thigh.

Q. With a pistol?—A. Yes, sir; with his pistol; and then I ran off to the fence, which was about ten yards from where I was, and I dropped over inside of the fence, and down between the fence and some weeds; and I laid there awhile, and I saw when they shot Archie Burnett. They made him turn his back, and when he did that they shot him. I watched, and seen Mr. Berry shoot him.

By Mr. CAMERON:

Q. What did they make him do before they shot him?—A. They made him tote water; nothing only tote water, and drove him about there, and abused and beat him. He toted some water; that was all he done.

Q. Where did they shoot him?—A. Right in the road where I was.

Q. I mean where did they strike him on his body?—A. Right through the small part of his back.

Q. How long were you lame with your wound?—A. Before I could walk it was about a month, although I could put my weight on my leg; it was a good while after that, though, before it got to say well.

Q. Where did you go after you were shot; at whose house did you stay?—A. I went to another lady's house not far from there, to Peg McLennan's, and I staid there the next day, and then went to my uncle's house, Solomon Crawford's, and I remained there the balance of the time.

By Mr. CHRISTIANCY:

Q. Will you just step around this way and show the wound on your leg? [Witness exhibits a scar on his right thigh.]

By Mr. MERRIMON:

Q. Can you tell us any reason they had for shooting you?—A. No, sir; they didn't have no reason for shooting me.

Q. You couldn't vote?—A. No, sir; I couldn't vote. I can tell you what I think they shot me for; because they thought I was going to be a witness for Simon Crawford.

Q. They wished to kill you on that account?—A. Yes, sir.

Q. Why did they not finish you, instead of only shooting you through the leg?—A. I do not know, sir, unless it was because I am——

By Mr. CHRISTIANCY:

Q. He had better ask the sheriff that question, had he not?—A. Yes, sir.

By Mr. MERRIMON:

Q. If they intended to kill you to keep you from becoming a witness, why did he not shoot you through the head, or some other vital part of the body?—A. I don't know, sir.

Q. You do not know what they shot you for?—A. No, sir; I do not.

Q. What did they have that row with your uncle Simon for?—A. I couldn't tell you no more than they said they come to kill him.

Q. Because he was a radical?—A. Yes, sir.

Q. He is president of the club?—A. Yes, sir.

Q. The sheriff didn't say that he had any warrant for him?—A. No, sir. Simon asked him if he had a warrant, and he said no, that he didn't have any and didn't want any.

Q. Did they charge him with doing anything to a white woman there?—A. Not a bit of it.

Q. You never heard of that, did you?—A. No, sir; I never heard of it; he didn't have no such talk to me that night.

Q. Did you hear of it afterward?—A. Yes, sir. I heard of it down at Marion; they had such a report about what Simon had done to a woman, but there wasn't no such as that.

Q. Were the sheriff and this other man drunk when they were there?—A. No, sir; they wasn't drunk.

Q. What sort of folks were they?—A. I couldn't tell you; just mean folks, I think.

Q. That is all you know about it?—A. Yes, sir; that's all I know about it.

WM. A. HAYNE—MARION COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

WM. A. HAYNE (colored) sworn and examined.

By Mr. CHRISTIANCY:

Question. Where do you reside?—Answer. Marion Court-House.

Q. How long have you resided there?—A. I have been there since the latter part of 1867, I think.

Q. Are you a native of the country?—A. Yes, sir; I was born and raised in the city of Charleston.

Q. How long did you say you had lived in Marion?—A. Since the latter part of 1867, or the beginning of 1868.

Q. Were you a candidate for the legislature at the last election?—A. Yes, sir.

Q. A republican candidate?—A. Yes, sir.

Q. Did you have anything to do with the campaign, or see how it was carried on?—A. Yes, sir; I stumped the county.

Q. Just tell us what you saw of rifle-clubs, or bands of democrats armed, going about; what facts you saw that tended to intimidate the colored voters and keep them from voting the republican ticket, or that

tended to induce them to vote the democratic ticket.—A. I saw rifle-clubs at several places. I spoke at Marr's Bluff, on the west side of the Pedee. That was the first place we spoke in the county. I think it was October 21. The rifle-clubs came there headed by the Rev. Mr. Thompson, a Presbyterian minister, who was captain of the company, and they made a demand for a division of time.

Q. That was called as a republican meeting?—A. Yes, sir.

Q. About how many were there in the company?—A. I do not know; there was quite a troop, though.

Q. Were they armed or uniformed, or both?—A. They wore red shirts and each man had a brace of persuaders.

Q. That is pistols, I suppose?—A. Yes, sir; Navy revolvers.

Q. Did they have guns?—A. No, sir.

Q. What did they do and how did they behave there?—A. Mr. Thompson, the captain of the company, demanded a division of the time. He was informed by the acting county chairman that inasmuch as negotiations between the two executive committees of the democratic and republican parties had been broken up, they thought it best not to consent to a division of time at any point; that they had been instructed by the chairman of the republican executive committee not to consent to a division of the time. They argued with us for a time and tried to break up the meeting by threatening, and finally went off.

Q. What was the nature of their threats?—A. They cursed and swore at a round rate, and said that we should not speak, and went off threatening vengeance.

Q. Did they return?—A. No, sir. Instead of taking the train that night at that place, we were ferried across the Pedee River, and took the train at another place, and we saw them there to our terror.

Q. Describe that scene, if you please.—A. We spoke on the 2d of November at Cain's precinct, on the west side of the Pedee. There was another company there; they had no arms that I saw, except one or two pistols; the company was commanded by Captain McWhite; they demanded a division of the time. My brother, the secretary of state, informed the gentleman who made the demand, that he would not agree to speak there unless they would pull off their red shirts and hang them on their saddles. They hurraed a little, but I do not suppose with any intention of creating a disturbance, and went off.

The next day we spoke at Pedee, and then returned and spoke at Mount Zion, and left that night for Marr's Bluff Depot.

Q. That was on the railroad?—A. Yes, sir. We stopped with a friend until about half past nine or ten o'clock, I suppose. We thought it was best to take the train coming to Columbia that night, and not trouble him to get up in the morning to take the three o'clock train going to Marion. We got there a short while before the train arrived. We saw a light from a lantern in the pump-house there, and two lads there in the employment of Mr. Gregg, who keeps the store there, and who is also the agent of the Columbia road. Mr. Smith, an ex-senator and also a candidate for re-election, inquired of these lads what time the train would get there, and one of them told him about three o'clock in the morning. Smith told him he was going to Florence, and asked him what time that train would get there; he didn't wait to reply, but ran out of the room precipitately, and returned in about five minutes with about ten or fifteen members of this club; they were stationed at the time in Mr. Gregg's store.

Q. White men, were they?—A. White men.

Q. Were any of them armed?—A. Every one of them; even these two lads were armed when they returned. Mr. McClenahan came in—

Q. Was he one of your company or one of the others?—A. He was one of the others. My company was Mr. Smith, candidate for the senate; Mr. Holloway, candidate for school commissioner; and myself, one of the representatives.

Q. That constituted your company?—A. Yes, sir. We had two or three black men along as a drum-corps that we took around with us. This Mr. McClenahan came up to the fire-place and addressed Mr. Smith, and inquired of Smith who was the United States marshal in Marion County. Smith told him he didn't know. He asked me who was the United States marshal at Marr's Bluff a short time back. Mr. Smith said, "Mr. Hayne." Said he, "We don't call him Mr. Hayne this way; we call him Hayne. The God-damned dirty scoundrel prevented a joint discussion the other day."

Q. He was referring to yourself?—A. Yes, sir. I felt very indignant, and retorted pretty sharply. I told him that it was untrue; that I had always favored joint discussion, because I did not think we had anything to fear from joint discussion, as, in my opinion, we had the argument on our side, and that at Marr's Bluff I favored joint discussion. I was the acting chairman of the county as well as deputy marshal, and I stated that there were two candidates there who were prominent republicans, who consented to the joint discussion; and I stated publicly to Mr. Thompson, when he made his demand, that so far as I was concerned I was in favor of joint discussion. He said, "By God, we propose to have a joint discussion to-night. We will give you to understand that we don't care a damn for the United States marshal, United States Government, or anything else." This Mr. McClenahan is a very violent man; is known as such through the whole country, especially in that section of country where he lives. He said that and opened his coat, showing a red shirt under the coat and a pair of Navy revolvers stuck in his pants. Every man was armed. Perhaps the most abusive one present was a man by the name of Williams, who came from Berry's Cross-Roads, where he had been breaking up a meeting. Hearing that we were at Marr's Bluff, he came there on the nine o'clock train and met us there. He said, "We intend to show you that this is a white man's country; it belongs to us, and we intend to have it. We will show you that we are going to get rid of you carpet-baggers in a very summary manner." Like all Carolinians, I was sensitive on that point. I was not born in Marion, but, said I, "I am a Carolinian, and of as good birth, if not better, than you ever dared to pass yourself off for." He approached me and held his hand on his pistols. One of the men Mr. Gregg had stationed at the door said to him, "Not now; wait awhile; the train is near here"—that was the passenger train going to Columbia—"wait awhile till the train passes." They threatened and cursed us for a considerable time. Hearing the train coming, they went out and got one of the kettle-drums that were left outside by the drummers and ordered him to give them a tune. He promptly went out and got his drum, and as he came in they barred the door. This Charles Gregg threw his back against the door. The window was open or unhooked, and I went to the window and threw it open. Mr. Smith went to the door to get out at the door, and they refused to let him go out till he promised that he would return. Mr. Holloway and myself went out at the window. Because I was determined not to turn my back to them, I went out sideways. I had no confidence in them; knowing what a set of cut-throats

they were, I was determined to keep my eyes on them. I jumped aboard the train, they pursuing us.

Q. Did you all get into the train?—A. Three of us; we left the drum-corps there. On our return I jumped out and hurrahed for Hayes and Wheeler.

Q. On your return; when was that?—A. We went as far as Florence, in Darlington County, about six miles from there.

Q. When did you return?—A. We returned on the next train—the 3 o'clock train. Mr. Smith came up to Columbia to see about the distribution of troops on Tuesday. Mr. Holloway and myself returned to Marion, on the northern-bound train. When I got to Marion Bluff, I jumped out and hurrahed for Hayes and Wheeler, and I was approached by this Mr. McClenahan. He inquired who hollered for Hayes and Wheeler, and I told him I did. He asked me what right I had to do that. Said I, "By the same right that you have to hurrah for Tilden and Hendricks." McClenahan and his comrade drew their pistols. In the mean time a colored man ran up and McClenahan leveled it on me and cocked it, but in the meanwhile the train started and we got on; they were pretty drunk, and fired off their pistols over the train, and smashed one of the drums. Two of them, Williams and Carmichael, went to Marion.

Q. On the train with you?—A. Yes, sir. He tried to kick up a row aboard the train we were on. I drew my pistol, and dared him to fight; after that he kept quiet.

Affidavits were made before the United States commissioner in regard to this matter, and warrants are out for several of them now, and they have been arrested and put under bonds to appear at the next term of the United States court.

As to intimidation, there was a general state of terrorism existing in that county during the whole canvass; and it has hitherto been one of the quietest counties in the State. Men were threatened that if they voted the republican ticket, they would be deprived of work and put off the plantation. I saw men during the holidays, quite a lot of them, without work, just knocking around from one place to another; in fact, I heard quite a prominent gentleman (General Harley) advocate that, that if the negroes didn't vote the democratic ticket, they should be deprived of work.

Q. This was publicly done, was it?—A. Publicly done at voters' precincts, just after the nomination of General Hampton.

I want to tell a little about that Simon Crawford affair. I had been up here and had gone home on Sunday night. I got to Marion about half past three o'clock, Monday morning. During the day, between eleven and twelve o'clock, I went up town, and was in the county treasurer's office. I had heard about the affair. I had heard that Crawford came to town on Sunday morning, and was complaining of the treatment received from these men, but I paid no attention to it at the time. While I was in the treasurer's office the town marshal came into the treasurer's office, and asked me for God's sake to go out; that he feared a row. I went out and I saw the rifle-club mounted out there with their sixteen-shooters—though I didn't examine them closely; they resembled sixteen-shooters—I saw Captain Evans—

Q. Where was this?—A. This was in the town of Marion, and occurred on Saturday night, I think. I got there on Monday morning at about half past three o'clock, and the marshal asked me to go out and use my influence with the colored men, saying that Berry, the sheriff, and Bill Evans, the captain of the rifle-club, had reported that Simon

was coming into town to take out a warrant, and they were determined to intercept him. I went out and found quite a confusion existing in the public square. The captain was mounted, with his red shirt and red gloves, riding to and fro. All the stores were closed, schools dismissed, and private residences closed. As I stepped out of the court-house I saw a crowd of colored men very much excited. Mr. Senator Smith and I remained with them for a time, trying to quiet their fears and keep order. I went and told Lawyer Woods that I thought the excitement was unnecessary, and asked him why they were riding about, creating so much disturbance and so much excitement. Mr. Wood said it was reported that Simon Crawford was coming in to burn the town. "Well," said I, "Mr. Wood, you are an intelligent man, and you know it is simply an impossibility for three or four men to come in here and do the town an injury like that." Said I, "You have seen this town in flames many a time, and you have seen it put out by the aid of colored republicans." He said, "Yes, I know that, Hayne; I think it is all unnecessary, and I have tried to stop it. I spoke to Evans awhile ago, but you know he is an excitable and impetuous man." I spoke to a young man by the name of Offly, and requested him to go down to the railroad and meet these parties and bring them into town. He went down and met Simon Crawford, and brought him in in a gig. Simon was sitting down in the seat and he was in Simon's lap. They drove up to the court house and went into the auditor's office, he and Mr. Smith. The trial-justice, who took his affidavit, promised that he would issue a warrant, and Simon went home, after receiving the assurance from the trial-justice that the warrant would be issued and these parties brought to punishment.

That night the sheriff took this rifle-company out, and, to give it the color of law, it was styled his *posse comitatus*, but it was really the rifle-club, armed and mounted. They rendezvoused the balance of that day on the square. A man by the name of Archie Burnett was killed up there. I knew him very well; he was a quiet and inoffensive man. They continued up there, committing depredations, until I thought it had gone far enough; and that afternoon I went out for a ride, and my horse threw me and injured me so that I was kept at home for two or three days; I heard that this man had been killed and the boy wounded, after I came out, and that they had destroyed the property of these people. The colored people were very indignant after they heard of the death of this man and the wounding of the boy and the destruction of the property of these people, and they did swear that unless something was done they would take the law into their own hands; that they had been governed by the advice of their leaders long enough, and they didn't intend to submit to it.

I called on a number of prominent democrats in the town to hold a conference in regard to the matter. I refer to Mr. J. M. Johnson and Colonel Blue, who is now one of the representatives from the county. We had a conference in the morning, and they promised us that they would send a courier up to Captain Evans and Mr. Berry, and call the rifle-club to Marion; that that was the only way to preserve order and quiet in the neighborhood. I don't know whether he sent or not, but the rifle-club didn't come in. The report came in town that another man was killed; that was false, but it excited the negroes. We called another conference, and adjourned to meet the next morning. Mr. Johnson sent word the next morning to Captain Evans that he must come in with his posse immediately and deliver the papers to the sheriff, (he was acting as sheriff's deputy, with the rifle-club as his posse.) They came back next day, about three o'clock, and marched into town. They demanded

then that Mr. Crawford come up and give bonds; they had taken out a peace-warrant.

Q. Who demanded that; the rifle-club?—A. Yes, sir; the feeling was so intense against Simon that I advised him not to do it. He came in town, and I advised him to keep out of the way for a few days. He did so. The rifle-club claimed that he didn't give a bond. They knew well enough that the bond they required, which was in the sum of five hundred dollars, could not be given by him. I advised him to keep out of the way until quiet was restored and the feeling died away. The feeling was very intense. I remember the sheriff came to my window and said that he had heard that the colored people were very indignant against him; that it was reported that he killed this man Burnett. He denied it; but said he believed he shot the boy that was wounded in the shoulder. I will do him the justice to say that if he had been sober I do not think he would have taken part in it; but he is just like a piece of putty; when he is drunk he is up to any deviltry. They kept him drunk for that purpose. The sheriff and I had a long talk about the matter. I told him that I thought it had gone entirely too far; that instead of protecting these people he was one of the first to oppress them. He told me that I was mistaken; and I referred again to this murder. He said that he didn't kill the man; never fired at him, but that he shot the boy in the shoulder. If you desire to know the names of the captains of these companies I can give them.

Q. Those whom you know you can name?—A. The captain of the Laurens Court-House club was McLucas; the captain of the Pedee Township club was William McWhite; the captain of the Aerial Township club was David Legett; the captain of the Spring Branch club was William Evans, and the captain of the Wahee club was Daniel Berry, sheriff of the county.

By Mr. CAMERON:

Q. What charge did the sheriff or Captain Evans make against Simon Crawford?—A. No charge at all, except that he was president of a Hayes and Wheeler club up there.

Q. In your conversation with them, did they ever charge him with the commission of any crime?—A. No, sir; none whatever. In the conference a gentleman that he belonged to when a slave, Mr. T. C. Moody, said that he raised him, and that he was always civil, as a boy and man, as a slave and freeman; that he had known him to be civil, industrious, and honest; they said that he threatened to burn out the neighborhood unless these men were brought to punishment.

Q. That was after the assault had been made upon him?—A. Yes, sir; I spoke to Mr. Berry about it, and he said they spoke of it at Temperance Hall. Crawford lives just a few miles from there, and he had heard that he was president of that club, and had been making incendiary speeches, and thought he would go there and advise him. He went into the house, and Simon got frightened and went into the loft of the house. Said I, "Sheriff, you had no right to do that." "O," said he, "yes I have, as a citizen." Said I, "As a citizen you had no right at all." Said I, "You are answerable to the law, and you know full well there is a maxim of the law which says that every man's house is his castle, and you had no right to enter it; if Simon had gone into your house to advise you as to the shade of your politics, you would not have submitted to it." "Well," said he, "I didn't mean no harm." Said I, "Harm has come out of it; one life is lost, and another boy is wounded and may die." "Well," he said, "I will swear to it I didn't

intend any harm." They had made no charge, except that he was president of that club and a prominent man in that neighborhood. It is a sparsely-settled neighborhood anyhow, and the farmers are very poor anyhow, mostly. There are very few farmers around in that section of the country, and Simon was always regarded as a sort of leader there.

Q. He was a man of some little property at that time?—A. Yes, sir; I think he owned some two hundred acres of land; I think about that.

By Mr. MERRIMON:

Q. Why did they not arrest these men and punish them for this crime?—A. Why, bless your soul, the sheriff was arrested and the grand jury found no bill against him. The evidence was just as clear and strong as it could be.

Q. What sort of folks composed the grand jury?—A. A majority of them were democrats.

Q. Were there any colored men on it?—A. Very few.

Q. What sort of a judge have you there?—A. A very good judge.

Q. Did he not charge the grand jury on this subject, and tell them that this was a crime of murder, and that they owed it to themselves and to society to bring these men to justice?—A. Yes, sir; he charged them as all judges do in cases of murder; the evidence, *ex parte* though it be, the State's witnesses were all in his favor and they found no bill.

Q. Were a majority of the grand jury democrats?—A. Yes, sir.

Q. Are your county officials democratic or republican?—A. They are democratic now; they were republicans. This man Berry was elected as a republican, and adhered to the republican party until within the past year.

Q. How is your clerk?—A. The clerk is republican.

Q. Who draws the jury?—A. The jury is drawn by a commission composed of the clerk, sheriff, auditor, and the chairman of the board of commissioners.

Q. Are they or a majority of them republicans?—A. Yes, sir.

Q. And they drew this jury that ignored a bill for this dreadful crime?—A. I am simply telling you that they found no bill. I have nothing to do with that, and I am sorry to see that there is such a feeling in South Carolina; I have regretted time and again that the prejudices of the race should exist to such an extent that there is no such thing scarcely as law in this country.

Q. The republicans have had the whole administration of the State government, have they not?

The WITNESS. What does that signify?

Mr. MERRIMON. It signifies that they ought to punish these crimes. If they wield the whole power of the government, do you not think that they ought to punish these men, whether white or black, who are guilty of these terrible crimes?

Q. I am not here, Mr. Merrimon, to give my opinion; I am simply giving the important facts as I know them.

Q. I ask you, as a fact, whether they are not republicans?—A. A portion of them, certainly; but I am telling you that a majority of the grand jury were democrats at that time, and that as an initiative step to punishment—

Q. The executive, legislative, and judicial departments of the government in this State are in the hands of the republican party; is that so?—A. I am not here now to discuss legal questions.

Q. I am just asking you that simple question.—A. That is the fact, that the executive and legislative departments are in the hands of the

republicans, and they should be by virtue of having a majority of thirty thousand votes in the State.

Q. Who are the judicial officers?—A. A portion of them are republicans.

Q. How was the vote in your county at the late election?—A. The majority was about four hundred in excess of the actual vote in the county; that is my opinion. I do not know that I can prove that; I know that I was an advocate of Judge Green's election two years ago, and with the highest count, the most popular candidate on the ticket received not quite two hundred majority; but the democratic majority this time has been increased to six hundred and forty-five. There were at that time, two years ago, about fifty Tar-Heels working at turpentine-distilleries in the county, who hadn't been in the State long enough to vote, and this time they voted the republican ticket, and yet they increased about four hundred and forty-five.

Q. Did the republicans get the vote that they had gotten on former occasions?—A. They lost a few.

A. How many?—A. I can't say; I don't suppose they lost more than fifty in the whole county; I scarcely think fifty colored men.

Q. How much did the republican ticket lack of receiving as many votes as it did at any former period when it received its highest vote?—A. I do not know actually, Mr. Merrimon; I think Mr. Smith is here, and I think he can answer better than I.

Q. I do not think you apprehend my question, quite; without reference to majorities or the size of the democratic vote, did the republican ticket get the vote it usually got in your county in point of numbers?—A. I think it did, very nearly.

Q. The white vote was very much increased?—A. Very much increased.

Q. Was there an exciting campaign there, one that brought out every voter?—A. Yes, sir.

Q. Had there been any such campaign on any former occasion?—A. Yes, sir; I think they got nearly all their white and colored vote in the county two years ago, when Green was up; the county was thoroughly canvassed.

Q. Who was Green?—A. Judge Green was nominated by the independent republicans for circuit judge.

Q. He ran against Chamberlain in 1874?—A. Yes, sir.

Q. You speak of rifle-clubs; do you use that term rifle-club as synonymous with democratic club?—A. It is an armed political organization.

Q. Did you see them muster at any time?—A. No, sir; I have seen their men time and again. I remember a man was drunk in Marion, and time and again the sheriff called out the rifle-club to arrest him. I interposed in the mean time, or he would have been killed, I believe firmly. I have heard the noise of the rifle-club drilling in the Masonic lodge where they met, and I judged by the noise of the lowering of muskets that they were drilling, and from the way the orders were given.

Q. Did they call themselves rifle-clubs?—A. Yes, sir.

Q. Did they have any democratic clubs, as contradistinguished from these rifle-clubs, in the campaign at all?—A. Yes, sir; these clubs were composed of democrats entirely.

Q. Take that to be so; did they have democratic clubs as contradistinguished from these rifle-clubs?

The WITNESS. Political clubs, do you mean?

Mr. MERRIMON. Yes.

A. That was the same club, and when called for political occasions they invariably went out with their rifles.

Q. Who was that preacher who had these "persuaders?"—A. The Rev. Mr. Thompson.

Q. Of what faith is he?—A. Presbyterian.

Mr. MERRIMON. The chairman suggests that he was an Old School Presbyterian.

Mr. CAMERON. They believe in predestination?—A. Yes, sir; and they thought that we were predestined, too.

By Mr. MERRIMON:

Q. Did he have these pistols exhibited so that the crowd could see them?—A. Yes, sir; you could see them under his coat.

Q. I will ask you whether it is not common in your section of the State for everybody to wear arms—blacks and whites, republicans and all?—A. Well, I suppose it is more common than it should be.

Q. It is done without distinction of party?—A. Yes, sir; I suppose so. The campaign started me to carrying one; I carried it concealed.

Q. These folks that you tell us about did not use any violence in your presence?

The WITNESS. On what occasion? Do you refer to that occasion at Marr's Bluff, when they came into the pump-house?

Mr. MERRIMON. No; I mean generally in the campaign through the county.

A. No, sir; that was the nearest I came to being insulted, and I believe if the train had not come at that time I would have been, because this man McClenahan is known to be a violent and bitter man, and this man Williams is an irresponsible character, and could be influenced to do anything. I regretted it very much. I went down there unsuspecting; I had no idea of anything of the kind. They have never had any occasion to do anything of the kind to me. I was put on the ticket with Chancellor Johnson and Colonel Howard, on a fusion ticket, and I have tried very hard, even as a republican, to do my duty.

Q. Have you been much in public life?—A. Well, yes, sir; I have been a member of most of the republican conventions. I was reading-clerk of the house for four years, and a member for two years, and I don't think that any one that knows me, white or black, democrat or republican, can say anything but what I have tried to act the part of an honorable man, publicly or privately. I remember last winter I advocated the passage of a bill in the legislature giving conservative representation in Congress, I and a few other republicans, and the bill would have passed were it not for the absence of democratic members who were in their beds asleep.

Q. What sort of a bill was that?—A. It was a bill redistricting the State. It would have given one democratic member of Congress from this State.

Q. As you have been a member of the legislature, I will ask you this question: your constitution provides that the legislature shall make provision for the registration of the voters of the State. Has any such act been passed?—A. We have no such registry law. I favored the coming together of the two classes. I believe that that is the only way to peace and prosperity to the State. I have always advocated fusion; but when it came to the straight-out democratic ticket, I am not in favor of it. I am not prepared at this stage to advocate the non-representation of a people that I am interested in and identified with. I am willing to advocate a fusion ticket. I would like to see it brought about

whenever it can be carried out in good faith, and I am prepared to say here that the democracy of South Carolina (I cannot speak for the rest of them) are not prepared for that; they say that this is a white man's country, and they mean what they say. I have tried as hard as and harder than a great many of them, and have done my best toward bringing about good government, for I and T. C. Dunn, the present comptroller-general, were the ones that advocated peace, and Chamberlain and a majority of the republican party brought all these reforms in the State, and I know that under Mr. Chamberlain's administration reform has been brought about. I voted for a great many reform measures in the legislature, and therefore I know.

Q. State whether at the late election Governor Chamberlain ran on the reform ticket; state whether he did not run on a ticket against which you and the other reformers, as they were styled, had made war.—A. I do not know that he did.

By Mr. CAMERON:

Q. You said something in your testimony to the effect that it was difficult to punish white men who were charged with crime in your section of the State. State what facts are within your knowledge in regard to that.—A. Well, Mr. Chairman, it is because the white men invariably refuse to sanction the punishment of white men. Justice can be thwarted if there is only one white man on the jury, as you are aware.

By Mr. CHRISTIANCY:

Q. You mean, I suppose, where there is a question between the colored and white races?—A. Yes, sir.

By Mr. CAMERON:

Q. In the case of Crawford a majority of the grand jury were democrats?—A. Yes, sir.

Q. And refused to find a bill against each of the persons who were charged with the offense?—A. Yes, sir.

Q. Can you see how the State government can help that?—A. Why no, sir; I cannot see it.

Q. Senator Merrimon asked you if the State government was not in the hands of the republicans; how is that?—A. I cannot see, if Senator Merrimon were the executive of the State, how he or anybody else could devise any means by which that could be remedied. In the case of the jury a man is sworn to do his duty, and if he fails to do it, he perjures himself; that is a matter between him and his Creator, I suppose.

R. B. ELLIOTT—RICHLAND COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

R. B. ELLIOTT (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. I reside here at present.

Q. What official position do you hold?—A. I am at present the attorney-general of the State.

Q. Are you a native of this State?—A. No, sir.

Q. How long have you resided in this State?—A. About eleven years.

Q. What official positions have you held since you came to South

Carolina?—A. I have been a member of the legislature of the State; I was a member of the legislature of the State from 1868 to 1870. Prior to that time I had been a member of the constitutional convention of the State at the framing of the present organic law of the State.

Q. Were you a member of the National House of Representatives, too? —A. I afterward, in 1870, was elected to the House of Representatives of the United States, and was re-elected in 1872. I resigned in the fall of 1874, and was again elected a member of the house of representatives of the State, and upon its organization became speaker of the house. I served there from the fall of 1869 until the fall of 1870, when elected to Congress the first time, as assistant adjutant-general of the State. Upon my election to Congress in 1870, I resigned my position as assistant adjutant-general, and was commissioned by Governor Scott as the major-general commanding the militia of the State, which position I still hold, having been continued by the succeeding governor.

Q. What official connection have you with the republican party now? —A. I am at present, and have been for the past five years, what is known as the president of the State executive committee of the republican party.

Q. Some testimony has been given before this committee in regard to a military company said to have existed at Hamburg, in this State.—A. Yes, sir.

Q. Some question has been raised as to whether that is, or was at any time, a legal, organized military company; please give the committee whatever information you have in regard to that.—A. The company was regularly organized as a part of what is known as the national guard of this State, and has at no time since its organization ceased to be a part of such national guard.

Q. Has it been recognized as such by the military authorities of the State?—A. Yes, sir.

Q. Well, you can go on, Mr. Elliott.—A. The company at Hamburg when originally organized was known as Company A of the ninth regiment national guard. The headquarters of the ninth regiment—and in fact the whole regiment—was within the limits of the county of Edgefield, of which county Hamburg was then a part. In 1872 Aiken county was erected out of contiguous parts of the counties of Edgefield, Orangeburgh, Barnwell, and Lexington, and Hamburg was brought into the new county of Aiken. It necessitated, therefore, a rearrangement of the militia, as it affected these companies that were located in those portions that had been detached from the original counties and brought into county of Aiken. This Hamburg Company A was, therefore, detached and was made the nucleus for a new regiment, designated as the eighteenth regiment national guard, retaining its company letter; it was Company A; so that this Hamburg company, which was originally Company A, ninth regiment, is now Company A of the eighteenth regiment.

This same company was one of the earliest companies organized in that section of the State when the militia was first put in operation under the act of the general assembly as passed between 1868 and 1869. I do not know whether it is necessary that I shall go through the whole detail as to the change of officers, &c.

Q. You may do so, stating it as specifically as you are able to.—A. When first organized, P. R. Rivers was the captain of the company and commissioned as such. S. J. Lee was first lieutenant of the company. Rivers some time afterward become colonel of the regiment, the ninth regiment as it was then, and S. J. Lee became the major of the regi-

ment. John Williams, the present colonel of the eighteenth regiment, of which this company is a part, succeeded to the captaincy, and remained as its captain during the residue of the time that this company was a part of the ninth regiment; but when the company was detached from the ninth regiment and became a part of the eighteenth regiment, John Williams, who had been the captain, was promoted to the colonelcy of the new regiment.

With the permission of the committee, I have here in my hand the report of the adjutant and inspector-general of the State for the fiscal year ending October 31, 1875. By reference thereto, on page 29 will be found the designation of the field and staff officers of the regiment; Col. John Williams, commissioned as such January 1, 1874; Lieut. Col. Frederick Nix, jr., commissioned January 1, 1874; both were commissioned the same day. I neglected to bring with me the letters of application with the recommendations for the appointment of these officers, Williams and Nix, but I have with me the original oath of office under which they qualified and were commissioned. The oaths were taken on the 4th of February, 1874.

By Mr. CHRISTIANCY:

Q. What is their date?—A. February 4, 1874; they qualified on that date. It is usual in the appointment of officers to have the oaths taken by them before the date of the issue of the commission. But frequently the officers commissioned took rank from time prior to the date of their commission. In my own case it was so when I was commissioned as major-general of the State; I took rank from August, 1870, though my commission was issued and I entered upon the performance of the duties of the station late in the fall of that year. By reference to the same pages of this report of the adjutant-general for 1875, the companies, that is of the eighteenth regiment, as organized at that time, embraced Company A, the same company now in question; the captain of the company was left blank, the reason of that being, as I have said, the promotion of Captain Williams, who had been its captain before that time. The first lieutenant is Lewis Cartledge; second lieutenant, James Coleman; the date of these commissions of these officers is November 1, 1873. These were the lieutenants who succeeded to the positions after the promotion of S. J. Lee as I have mentioned.

Q. And after the promotion of Williams?—A. Yes, sir. I thought I had omitted to bring the applications for promotion of Williams and Nix, but I have got them.

Q. What is the date of those letters?—A. January 20, 1874. They made application and the following indorsements appear:

HEADQUARTERS SECOND BRIGADE, THIRD DIVISION, NATIONAL GUARD,
Blackville, S. C., January 30, 1874.

Approved and respectfully forward to Major-General Rivers.

By command of Brig. Gen. B. J. Whipper.

J. KENNEDY,
Colonel and Assistant Adjutant-General.

HEADQUARTERS THIRD DIVISION, NATIONAL GUARD,
STATE OF SOUTH CAROLINA,
Columbia, S. C., January 30, 1874.

Approved and respectfully forwarded to Major-General Swails, commanding national guard, State of South Carolina.

(He was the assistant major-general of militia and commanded while I was absent in Congress.)

By order of Major-General Rivers.

WALTER R. JONES,
Colonel and Assistant Adjutant-General.

HEADQUARTERS NATIONAL GUARD,
Columbia, January 30, 1874.

Approved and respectfully forwarded to his excellency the governor and commander-in-chief, with the request that the application may be granted.

By command of Major-General Swails.

JAMES KENNEDY,
Colonel and Assistant Adjutant-General.

By Mr. MERRIMON :

Q. Where do these papers come from that you have there ?—A. They are a part of the official records of the adjutant-general's department.

Q. Are they certified ?—A. They are the original that are on file.

Q. You are not the custodian of them, are you ?—A. I have the right of access to them at any time ; they are subject to be inspected by me at all times. My headquarters are in the adjutant-general's office of the State, and we have mutual transcripts.

By Mr. CHRISTIANCY :

Q. The adjutant-general's office is subordinate to you ?—A. All orders for recommendations, &c., pass through my headquarters before they reach the governor. It is the last stage before they reach the commander-in-chief.

By Mr. CAMERON :

Q. You are a major-general ?—A. I am the major-general commanding the militia of the State. This application is approved by Governor Moses.

Q. If there is any further history of the company that you have not given you can give it.—A. As I stated, this company became at the time mentioned a part of the eighteenth regiment and remained so to this day, so far as the records of the department are concerned, and no action has been taken to drop the company from the rolls. Some time prior to the spring of 1876 the company had ceased to drill actively, as most of the militia outside of the cities of the State has ceased to keep up their regular drills, &c.; during which time some of the members of the company removed away from the locality, and from other causes dropped off; a re-organization took place.

By Mr. CHRISTIANCY :

Q. Under the act of 1874 ?—A. Yes, sir; after the act of 1874 was passed requiring they should be re-organized. This company, under the direction of the colonel of the regiment, John Williams, resumed its duty of drilling and so on, but its ranks had become somewhat depleted, consequently a re-organization was had and re-enrollment, and new members were brought into the company.

By Mr. MERRIMON :

Q. When ?—A. That was in April, 1876.

Q. How, under the statute of 1874, could that be done ?—A. It can be done to-day under that statute. The statute requires that the militia shall be conducted in a certain manner; that there shall be certain formalities of re-organization, &c. It was an amendment of the original statute. The statute of 1874 was not passed for a year, nor for a day. It is still the law.

Q. There is a provision in the statute that unless those companies have enlisted a certain number of men within the time specified they shall be disbanded; but then there is a proviso that the time may be extended by the consent of the officer mentioned in the law ?—A. Yes,

sir. I am glad that my attention called to this; or probably I will wait until the Senator shall cross-examine me upon that point, and I will go on with the narrative now.

Q. Very well, go on with the narrative now, and after completing that you may refer to the other matter.—A. This company, as I stated, in April, 1876, elected a captain to fill a vacancy that had existed by the resignation of Williams or the promotion of Williams, and Dock Adams became captain. The lieutenants remained the same, Cartledge and Coleman, who had been formerly officers of the company. They still remained officers. The new officers of the company, Adams, with the two lieutenants, took the necessary oaths. The members of the company, the rank and file, also took the oath. The new roster and the oath were transmitted to the colonel of the regiment, to be sent up to the regular chairman. The colonel of the regiment, upon the receipt of the roll, and so on, issued to the members of that company the arms which were in their possession at the time of the massacre. I should say, rather, the re-issue of the arms, because they were at one time in their possession, but after the company began to disband they were collected and stowed away.

By Mr. CHRISTIANCY :

Q. Under the control of the colonel?—A. They were stowed away in the first instance by Rivers, and after Williams became the colonel he transferred their custody to Williams, who kept them until this reorganization, and then he re issued them.

By Mr. CAMERON :

Q. How many men composed the company upon its reorganization, if you know?—A. I do not know the exact number, sir; the roll would be the best evidence of that.

Q. What, if anything, do you know in regard to the commissioning of Dock Adams?—A. Dock Adams, after he took the oath and transmitted it to the colonel, &c., assumed the command of the company under the direction of the colonel, and drilled it in obedience to the order of the colonel of the regiment; but it appears that he was not actually commissioned, through the neglect of the colonel to send the papers, although the colonel communicated with the adjutant-general of the department, requesting that the commissions be sent, being under the impression that the commissions would be issued upon the mere fact that they had signed the roll.

Q. But under the law they could not be issued until the roll was received by the adjutant-general?—A. It was not usual for us to do so until they had been received and transmitted through my headquarters; but he retained these papers some time after putting himself in line of communication with the adjutant-general's department requesting that the commissions be issued.

Q. It has been intimated that it was necessary to recommission the lieutenants of the company, Cartledge and Coleman?—A. Not necessarily so, unless there happened to be a promotion.

Q. You think that no recommissioning was necessary to these lieutenants, they retaining the same rank that they had in this prior organization?—A. No recommissioning was necessary; they were officers of the national guard, and it is merely for convenience—just the same as in the United States Army—and it is merely for convenience to designate the companies to which the officers originally belonged; but I think it is well known that an officer who belongs to one branch of the ser-

vice may be detached and sent to other duties without a new commission. For instance, a lieutenant may be put upon staff-duty and made to perform that duty, and he would not be commissioned as a staff officer. The fact of his being detached from one service and attached to another is evidenced by the records of the department, and not by any commission that he held. Here is the letter of John Williams; it is one of several—

By Mr. MERRIMON:

Q. What is the date of it?—A. June 3, 1876; prior to this massacre—requesting Maj. Henry B. Johnson, who is the assistant adjutant-general of the brigade-commander, that the commission for D. L. Adams as captain, and Lieutenant Cartledge as first lieutenant, and A. T. Attaway as second lieutenant, and James Coleman as third lieutenant, be sent.

Q. I wish to call your attention to this section of the law of 1874, the 9th section:

SECTION 9. No company can be mustered in unless at least eighty-three men have been enlisted therein. Companies now in the State shall at once reorganize under the provisions of this act, by the members signing proper enlistment-rolls, and being mustered into the service of the State as part of the national guard; and for the purpose of such reorganization, sixty men shall be considered the minimum.

Now, as I understood that, no new company shall be mustered in unless there are eighty-three men, but an old company—

Such companies not reorganized, as herein provided, on or before the first day of January, A. D. 1875, shall be disbanded; and the commanding officer of the regiment to which any such company may be attached is hereby authorized and required to take possession of all the arms and accoutrements, or other military property belonging to the State in the possession of such company; and any member thereof who shall refuse or neglect to deliver the same, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine, not exceeding \$100, nor less than \$10, or by imprisonment not exceeding thirty days. And the said property, wherever found, may be taken possession of by the commanding officer, or soldier acting under his orders: *Provided*, The general commanding the division to which company or companies may be attached shall have power to extend the time for the reorganization herein required upon the recommendation of the regimental commander.

Now the division-commander referred to there was, I suppose, Prince Rivers?—A. Yes, sir.

Q. The colonel was Colonel Williams?—A. Yes, sir.

Q. And this reorganization took place after January, 1875?—A. Yes, sir. As for this provision of the law I will state, first, that you will see that a board of officers is required to be appointed for the purpose of preparing the blanks, &c., necessary for this reorganization. The commander-in-chief was authorized to make that appointment under this act. The governor of the State, then Governor Moses, did not promptly make the appointment of that board of officers. That board, however, only consisted of three officers; I think there were three. I was one of that board.

By Mr. MERRIMON:

Q. What is the date of its organization?—A. I do not recollect now; I have not the record before me that would show that, but it was some-time after the passage of the act.

Q. Was it after the first of January, 1875?—A. It was not after the first day of January, 1875, when they were appointed. I don't think it was, though it might be later than that event. I think there were three of us. We made and prepared the necessary blanks, &c., and transmitted them to the governor, but these blanks were not printed and dis-

tributed to the several commands until long after January, 1875. General Rivers was one of the board himself.

Q. If that is so, did not the whole militia system lapse?—A. No; not all.

Q. Where is your saving statute?

Mr. CHRISTIANCY. The statute provides that the general of division might extend the time.

The WITNESS. I do not see how it would necessarily lapse. The act, I take it, was created for the purpose of preserving, and preserving intact, the militia of the State, and not for the purpose of destroying it.

By Mr. CHRISTIANCY:

Q. Then there is a provision in the law that the time might be extended, and Prince Rivers might have extended the time for the reorganization of the company. Do you know anything about an order on his part extending the time?—A. I do not know whether he issued any such orders. I do not know whether there was any application made to him by the colonel of the regiment for that purpose.

By Mr. CAMERON:

Q. But the fact is that the company was recognized as a legally organized company of the national guard?—A. It never ceased to be so recognized from the fact that it has been upon the roster every year; from the first time it was organized in 1870 to the present time it has never failed to appear on the roster each year. I have been in communication with that company the same as other companies whenever necessary ordnance stores have been issued to that company for target-practice.

By Mr. MERRIMON:

Q. When have such stores been issued to them?—A. Here is one of the requisitions for ordnance stores issued to this Company A, eighteenth regiment, in June, 1874.

By Mr. CHRISTIANCY:

Q. What articles?—A. Six thousand Remington cartridges for target-practice, showing that this company has been recognized, and showing that it has never ceased to be a part of the militia at any time.

COLUMBIA, S. C., *January 6, 1876.*

R. B. ELLIOTT recalled.

By Mr. CAMERON:

Question. It was stated by Mr. Haskell before the committee that the State executive committee of the democratic party, of which he was chairman, had proposed to the republican State executive committee that the two parties should hold joint discussions through the State during the canvass; he further stated that the proposition was declined by the republican committee. Will you please give this committee such information as you have in regard to that matter?—Answer. I shall endeavor to do so, Mr. Chairman.

Q. Were you the chairman of the republican committee?—A. Yes, sir. Before proceeding, however, to that matter, with the permission of the committee, I would state that in relation to my testimony upon the Hamburg matter, I omitted last night to mention in my narrative

the fact that they, aside from being one of the militia companies of the State, organized under a charter by legislative enactment.

Q. You mean a special charter?—A. They were the recipients of a special charter passed in March, 1872.

Q. Please refer to the act chartering that company.—A. On page 186 of the session-laws of 1871-'72, a company will be found to have been incorporated. It is the same company, with the name of "The Rivers Guards."

I will state here that most of the militia companies, aside from the letters by which they were designated in the militia, had a local name—the name of some person or officer; and this company was so incorporated as under the name of "The Rivers Guards." The charter was given to John Williams, Lewis Cartledge, Cato McGraw, James Coleman, and their successors and associates. That charter has never been annulled.

Q. Now, you may go on with the other matter.—A. Yes, sir. In relation to the correspondence, or the proposition from the democratic committee, or from Mr. Haskell, the chairman of that committee, to have joint discussions, I have to say that the proposition was not originally submitted to me or my committee from Mr. Haskell. In a letter written by Mr. Haskell to Governor Chamberlain—a letter which has had a wide circulation, perhaps not so much from the letter itself as from the reply that it elicited from Governor Chamberlain—the proposition was made in that letter, or rather an invitation, to Governor Chamberlain to meet General Hampton in joint discussion, and extending the same invitation to such others of Governor Chamberlain's party friends as he desired to associate with him at those meetings. That letter was referred by Governor Chamberlain to the committee of which I was chairman, in accordance with a notification to Mr. Haskell in his reply to him that he would so refer the matter. Whereupon, as chairman of the committee, I addressed Mr. Haskell a communication which will be found—this is the copy-book of the letters sent by the executive committee. [Exhibiting copy-book.]

Q. Under what date did you address Mr. Haskell?—A. On October 5, 1876, I addressed Mr. Haskell the following communication; it is not very long:

COLUMBIA, S. C., October 5, 1876.

SIR: Governor Chamberlain has referred to the republican State executive committee, of which I am chairman, for answer, so much of your letter to him of the 28th ultimo as relates to your invitation to him and to his associates on the republican State ticket to meet General Hampton in public meetings for the purpose of joint discussions.

In reply, I am authorized by Governor Chamberlain and the other nominees on the republican State ticket to make to you the following proposition, which will enable the candidates of both parties to appear before the people upon terms of equality, and secure the purposes of joint discussions, namely: Governor Chamberlain will meet General Hampton at ten places, five to be selected in what is called the low country, and five in the up country; the places to be selected by mutual conference between the executive committees of the two parties, or such representatives as they may appoint; or in case of disagreement, five places shall be selected absolutely by one committee and five by the other. Inasmuch as General Hampton is now under appointments mainly in the low country, I am authorized to say that Governor Chamberlain and his associates will agree absolutely upon five places now named among his appointments in the low country.

At the places agreed upon the meetings shall be called by the proper representatives of each party, in such manner as each shall deem proper. When the meetings are assembled, they shall be called to order and presided over by a chairman from each party, who shall, each for his own party, introduce the speakers.

The speakers shall occupy equal spaces of time, and be in all respects upon perfect equality in all rights and privileges pertaining to the discussion.

This proposition is made to apply to General Hampton and Governor Chamberlain

alone, or to other or all the nominees on the State ticket. If the discussion is limited to General Hampton and Governor Chamberlain, then the usual arrangements respecting the opening and close and the alternations in the order of speakers on successive days shall be made. If other speakers are allowed, they shall come in equal numbers for each party, and have equal time for speaking, and all the usual rules of joint discussions shall be applied.

No speakers shall be allowed at any meetings called for joint discussions, except as shall be agreed upon under this proposition, or their substitutes or representatives.

At all meetings assembled under this proposition, the space around the speaker's stand shall be equally divided among the two parties, in all respects, and this division shall be observed throughout all the meetings, from their opening to their close. The chairmen of the respective State executive committees shall stipulate with each other for respectful and courteous treatment of opposing speakers, and for the orderly and quiet conduct of their respective parties at the meetings, and at all times during the assembling and dispersing of the meetings.

This proposition, with all its details, is made solely with a view to secure joint discussions, in which both parties shall meet upon fair and equal terms. If any of the details are objectionable for any cause to you, or those whom you represent, I shall be glad to hear such objections and to accept any modifications which will secure the object which we sincerely and earnestly seek, "a free and untrammelled discussion, that the people may become enlightened on the issues of the day."

Very respectfully,

ROBT. B. ELLIOTT,

President Executive Committee Union Republican Party.

A. C. HASKELL, Esq.,

Chairman Democratic State Executive Committee, Columbia, S. C.

Q. What answer, if any, was returned to that?—A. In reply to that I received the following—

Q. What date, please?—A. It is the original letter, signed by Mr. Haskell himself, and made of record. It is as follows:

ROOMS OF THE STATE DEMOCRATIC EXECUTIVE COMMITTEE,

Columbia, S. C., October 9, 1876.

SIR: Your letter of the 5th instant was received. We have no objection to the manner you propose for the holding or conducting of the joint meetings. You have accepted the five appointments in the low country as they stand upon the list already published. We cannot deviate from the order in which our appointments have been made in the other counties; but we see no reason why you cannot commence the joint meetings at Yorkville on the 13th instant, and continuing them at Chester on the 4th; Winnsborough, in Fairfield, on the 16th; Lexington on the 17th, and Edgefield on the 18th. These will constitute the five up-country meetings. The meetings in the low country will be in Beaufort, at Early Branch, on the 23d; in Colleton, at Walterborough on the 27th; in Charleston, on the 30th; in Georgetown, on November 1; and in Orangeburgh, on November 3.

The counties of Aiken and Barnwell are precluded by Governor Chamberlain's proclamation. The number of speakers we propose will be four, subject to change by agreement.

Very respectfully, your obedient servant,

A. C. HASKELL,

Chairman Democratic Executive Committee.

R. B. ELLIOTT, Esq.,

President Executive Committee Union Republican Party, Columbia, S. C.

Shall I proceed with the others?

MR. CAMERON. Yes, sir; proceed.

A. On receipt of that letter, on the same day, I addressed Mr. Haskell the following communication:

OCTOBER 9.

SIR: I am instructed by my colleagues of the State executive committee of the republican party to acknowledge the receipt of your communication of this date, and to express our gratification at its general purport. We will be glad to proceed, as soon as practicable, to arrange such details as may be necessary in connection with the proposed joint discussion, and to this end we would like to be informed whether your committee prefer to agree upon the requisite details through the agency of correspondence, or by personal interviews between the committees from each party.

If the latter mode be agreeable to you, Messrs. F. L. Cardozo, T. C. Dunn, R. B. Elliott, representing our committee, will be pleased to meet any similar committee which you may designate, in the library of the supreme court of the State, to-morrow at such hour as may be found most convenient to them.

Very respectfully, your obedient servant,

ROBT. B. ELLIOTT,

President State Executive Committee Union Republican Party.

Col. A. C. HASKELL,

Chairman State Executive Committee Democratic Party of South Carolina,

Columbia, S. C.

That letter was addressed to Mr. Haskell, and the receipt of it was acknowledged by him personally. No response, though, was made to that letter for a day or more, when I met Mr. Haskell on the street near his headquarters. He then excused himself for not having replied to my letter on account of pre-occupation on his part, but signified a willingness to confer with me, and desired to do so. He appointed five o'clock that afternoon. As a matter of convenience to him I suggested we would not require his attendance at the supreme-court library, but as I had to be up town myself I would drop into his headquarters at the hour named, which I did.

I called upon Mr. Haskell, and he said he did not think that it was essential that we should have the committee of either party present; it would be preferable that the arrangement should be conducted between himself and myself, giving as one reason for that preference that most all the members of his committee were absent and all the business was left in his hands. An agreement was entered into between us that we should have a conference the next day for the purpose of arriving at some conclusion. I therefore prepared a memorandum of the points that were involved under the plan, and I have a rough copy of that memorandum before me.

By Mr. MERRIMON:

Q. What memorandum is that?—A. It is a memorandum proposed on my part and read to Colonel Haskell at the time. There were two copies prepared from this rough draught; one copy was intended to be delivered to Colonel Haskell when signed. It was proposed that it should be signed by both of us. I read it to Colonel Haskell, but for reasons which I will state hereafter the memorandum was not signed.

By Mr. CAMERON:

Q. You submitted that memorandum to Colonel Haskell?—A. Yes, sir; it would have been entered in this book, but of course it was a blank paper until the stipulations had been agreed to and the contract formally ratified by us both.

By Mr. MERRIMON:

Q. Was it accepted or ratified?—A. It was not agreed to. Colonel Haskell, I know, will not attempt to say that it was read to him. An attempt has been made to have it appear that it was not rejected, but as the question has been asked me I will say that it was a virtual rejection at least.

The memorandum is as follows:

Memorandum of agreement entered into this 10th day of October, A. D. 1876, between Col. A. C. Haskell, chairman State executive committee of the democratic party of South Carolina, of one part, and R. B. Elliott, president State executive committee of the Union republican party of South Carolina, of the other part, witnesseth:

That it is herein and hereby stipulated and agreed between the parties aforesaid, for and in behalf of the political parties respectively represented by them,

First. That joint discussions of the political issues involved in the present campaign

in this State shall be held between representatives of the two parties at ten different places in the State—five of these to be in the upper and five in the low country, to wit:

At Greenville Court-House.

At Union Court-House.

At Winnsborough.

At Abbeville Court-House.

At Cheraw.

At Gillisonville, October 25th.

At Walterborough, October 27th.

At Charleston, October 30th.

At Georgetown, November 1st.

At Orangeburgh, November 3d.

Second. That at the times and places above mentioned Gov. D. H. Chamberlain and Gen. Wade Hampton, and two others from each side, shall participate in the discussions contemplated by this memorandum: provided, that if, from any cause, one or more of the speakers, on either side, shall be unable to be present, their places may be filled by an equal number of speakers to be substituted for them by the political parties to which the absentees may belong.

Third. That notice of each of the several meetings above enumerated shall be given to the voters of each political party by their proper representatives in such manner as they may deem proper. Said meetings, in all cases, to commence at 12 m.

Fourth. Each of the meetings shall be presided over by a chairman from each political party, who shall each, for his party, introduce its speakers.

Fifth. That the order of speaking, with reference to the representatives of each party, shall be alternated at successive meetings, and each speaker, on each side, shall be entitled to one hour of time: provided, that it shall be optional with the speakers of that party which opens the discussion either to consume, individually, all of their time, or to reserve a portion of it for the purposes of reply; their opponents, in all cases, however, to confine themselves to one uninterrupted space of time. That in no case shall any speaker be allowed to transfer any portion of his time to another.

Sixth. That at all the meetings provided for in this memorandum the space on and around the speaker's stand shall be equally divided between the two political parties from the commencement to the closing of such meetings.

Seventh. That at all meetings the speakers shall treat their opponents with decorum and courtesy, and the representatives of each party shall stand pledged for the maintenance of peace and good order by their constituents respectively, as well during the assembling and dispersing of the audiences as during the progress of the discussion.

I called upon Colonel Haskell, in accordance with the agreement entered into, and we discussed these matters. It will be noticed in my memorandum no days were fixed for the meetings at the five places in the up-country. We were desirous to accept their times fixed in their regular order of speaking in the low-country, and we desired to consult their convenience as much as possible as to the days when it would suit them to meet us in the up-country.

By Mr. CAMERON:

Q. The places and times mentioned in your memorandum for meeting in the low-country had all been designated by the democratic party?—

A. By the democratic party. We accommodated ourselves to their times, and we refrained from fixing the time in the up-country in order still further to consult their convenience. I discussed the matter with Colonel Haskell. He said that they could not change their times of meetings and meet us in the up-country at the five places named; but he agreed that he would confer with his friends and communicate with me further. We had another verbal conference, at which I proposed to Colonel Haskell that he would so arrange. I have just a rough memorandum with which to refresh my memory as to the proposition I made. Colonel Haskell, at that conference, stated that they were about to leave the up-country entirely, and that it would be too much trouble for them to withdraw their speakers from their appointments in the low-country and bring them to the up-country. I suggested that I thought it might be arranged without a withdrawal.

By Mr. MERRIMON:

Q. Will you please explain what you mean by the up and low country?—A. The low-country is that portion of the State that is below Columbia, not on the eastern side, but below from here down towards Charleston, towards the sea-coast; that is the line that marks the two sections.

By Mr. CHRISTIANCY:

Q. The line running across the State nearly east and west?—A. No, sir; but there is a line running not exactly east and west, because we do not call some portions of the State that are below this line the low-country. Richland, on the eastern side of the State, is not included in the low-country. There are only strictly, I think, six or seven of the counties in the State termed as low-country. I proposed that as they had a meeting at Gillisonville, or Earley Branch, which is the same as Gillisonville, on the 25th, and a meeting at Walterborough on the 27th, they could meet us at Winnsborough on this line, on the Charleston and Columbia Railroad, on the 28th, by simply changing their meeting at Aiken from the 20th to the 19th. They were to have a meeting at Edgefield on the 18th, and as it was an adjoining county to Aiken, only two or three hours' ride, and they could change it from the 20th to the 19th. The appointments for Barnwell, which they had for the 23d and the 24th, between the evening of the 19th and the morning of the 24th, they could meet us at some place in the up-country here, having three days to do it, and they could still fill the Walterborough appointment for the 27th, or they could change it to the 26th. There would be no necessity to make more than two changes and not to withdraw their speakers from those meetings at all, but simply by changing the days of the meetings at two places they could accommodate us in the up-country as well as we accommodated them in the low. I found that I could not get Colonel Haskell to consent to that. Finding it impossible to come to a proper understanding with him on that point, I suggested that we both lay the matter of disagreement between ourselves before our respective committees, and we could communicate with each other. I will observe that the most of the correspondence up to this time had been orally between Mr. Haskell and myself, but for reasons which I regarded as proper at that time, and which afterwards seemed to have been wise ones, I determined to confine our correspondence as much as possible to writing, to reduce everything to writing as far as it could be conveniently done. I have, therefore, now the next letter addressed by me to Colonel Haskell:

HEADQUARTERS UNION REPUBLICAN PARTY,
ROOMS STATE EXECUTIVE COMMITTEE,
Columbia, S. C., October 12, 1876.

SIR: I have recited to my colleagues of the State executive committee of the Union republican party the matters discussed in the interview which I had the honor to hold with you yesterday in reference to the details of the proposed joint discussions, and they reluctantly conclude that our negotiations for that purpose cannot be conducted further upon a basis that involves additional concessions on our part.

You will remember that our original proposition was to hold ten meetings—five in the up and five in the low country. At the latter we consented to meet all your appointments of places and days with the understanding that you were to conform to ours in these particulars at the up-country meetings. Upon finding that you would be inconvenienced by a strict adherence to this part of the programme, we consented to regard your appointment for Columbia as embraced in the up-country list, and subsequently went further and agreed to reduce the number of the meetings to eight, reserving the right to name the two places in the up-country not previously agreed upon, but conceding to you the designation of the days upon which these two meetings should be held.

So, in brief, we have yielded to the reduction of the number of joint discussions from ten to eight; to your designation of six out of the eight places at which they should be held, and to the selection of such days in every instance as would subserve your convenience.

Now, upon conference, we find that we can concede nothing more without infringing gravely upon the programme agreed upon for our own appointments previous to our negotiations for joint discussions, and consequently prejudicing our canvass by the change of our appointments at this late day, and the confusion which might incidentally follow such a course.

We present these facts in the hope that your committee may find it convenient to recede from the position which I understood you to take in the course of my interview with you yesterday, and by consenting to the places to be suggested by us for the two up-country meetings, enable us to consummate our arrangements without further delay.

Requesting an early reply, I have the honor to be, very respectfully,

ROBERT B. ELLIOTT,

President State Executive Committee Union Republican Party.

Col. A. C. HASKELL,

Chairman State Executive Committee Democratic Party

South Carolina, Columbia, S. C.

It will be noticed that that communication was addressed to Colonel Haskell on the 12th of October. On the evening of the 16th of October I received the following letter in reply :

COLUMBIA, S. C., October 16, 1876.

SIR: Your communication of the 12th instant received. The committee assembled to-day and has considered your proposition. We cannot go further than in our previous letters. We desire joint discussion, and we offer now, as we did from the first, to arrange on your terms for joint discussion at the places named in the list of democratic appointments. These appointments were made long prior to the opening of this negotiation, and, as I early told you, cannot be departed from.

Very respectfully, your obedient servant,

A. C. HASKELL,

Chairman State Democratic Executive Committee.

ROBT. B. ELLIOTT, Esq.,

President Republican Executive Committee.

On the next day, namely, the 17th day of October, I addressed the following communication to Colonel Haskell:

HEADQUARTERS UNION REPUBLICAN PARTY,

ROOMS STATE EXECUTIVE COMMITTEE,

Columbia, October 17, 1876.

Col. A. C. HASKELL,

Chairman State Executive Committee Democratic Party, Columbia, S. C. :

SIR: Your communication of the 16th instant has been submitted to my colleagues of the executive committee, who concur with me in the propriety of ceasing all further efforts to consummate arrangements for the joint discussions contemplated by our correspondence with your committee.

We reach this conclusion with unaffected reluctance, because we have always been anxious to agree upon such preliminaries as would enable us to meet you before the people of the State in a fair and full discussion of the issues of the day. Finding now that, despite all the concessions which we have made to bring about this result, and which are summarized in my note of the 12th instant, it is no longer possible to secure at your hands such a corresponding relinquishment of previous engagements as would place us on equal terms in the canvass, we are reduced to the necessity of closing negotiations for that purpose.

Very respectfully, your obedient servant,

ROBT. B. ELLIOTT,

President State Executive Committee U. R. P.

In reply to that, on the same day I received the following. It was sent to my address; but I will state here that I did not receive it personally, because I happened to be away from the city, but it was received by Mr. Cardozo, and replied to by him :

ROOMS OF THE STATE DEMOCRATIC EXECUTIVE COMMITTEE,
Columbia, S. C., October 17, 1876.

SIR: The executive committee submits another proposition, in the hope that it may bring about joint discussion. General Hampton, personally, cannot depart from his line of previous appointments; but he agrees to send a substitute to meet Mr. Chamberlain at any points he may designate in the up-country, provided Mr. Chamberlain comes to the low-country appointments and meets General Hampton in discussion there. If you will accept this proposition, and send a list of your speakers at each meeting, I will return to you the names of those who will speak on our side.

Reply at your earliest convenience is respectfully requested.

We mean that General Hampton will meet Mr. Chamberlain at any of our regular appointments, and will have Mr. Chamberlain or any of his speakers met at any appointments that they may make.

Very respectfully, your obedient servant,

A. C. HASKELL,
Chairman State Democratic Executive Committee.

The answer to such a communication, in view of all that had taken place, may be expected; the character of it may well be conceived. I will now read that reply, which is the last letter of the correspondence, and was written by Mr. Cardozo, who was vice-president of the Union republican committee.

HEADQUARTERS UNION REPUBLICAN PARTY,
ROOMS STATE EXECUTIVE COMMITTEE,
Columbia, S. C., October 18, 1876.

SIR: Your note of the 17th instant is received, proposing that Governor Chamberlain shall meet Mr. Hampton in the low country, and that Mr. Hampton shall send a substitute to meet Governor Chamberlain in the up-country.

In the absence of General Elliott, and as acting president of the republican State executive committee and in their behalf, I have to say, in reply, that such a proposition is wholly inadmissible. It departs entirely from the prime purpose of joint discussions as contemplated by our previous negotiations. While substitutes were allowed under the terms of our first proposition, they were only to be allowed in exceptional cases when the principals for some special cause could not be present. Your present proposition contemplates at the outset and as the basis of your offer, the absence of Mr. Hampton from one-half of the joint discussions. It will require no further assignment of reasons to justify the republican State executive committee in declining your proposition.

Very respectfully, your obedient servant,

F. L. CARDOZO,
Acting President Republican State Executive Committee.

A. C. HASKELL, Esq.,
Chairman State Democratic Executive Committee.

By Mr. CAMERON:

Q. That closed the correspondence?—A. That is all the correspondence.

Q. Do you desire to say anything further upon that point?—A. No, sir; I have nothing further to say; but I think the communications given, if they are to be embraced in the report, will better answer the question.

Q. They will be embraced in the report. It has been stated by a number of witnesses, democrats, before this committee that the purpose and spirit of the recent political campaign carried on in this State by the democrats was peaceful. Now, you, as president of the republican State committee, probably have some knowledge in regard to that; state whether you discovered that spirit in the conduct of the campaign by the democrats in this State?—A. Well, sir, let me first say that I desire, in justice to those that ought to be excepted from the general category of the democratic leaders of the State, to say that I believe there were individuals who desired the maintenance of peace, but I do not understand that the parties themselves who controlled the party have pretended to desire the maintenance of the public peace, or to respect the

rights of those who were their political opponents. I think the campaign was conceived by those on the part of the democrats——

Mr. MERRIMON. Do not tell us what you think; tell us the facts, and we will determine that question.

The WITNESS. I will say, then, that in my judgment, and that judgment is based solely upon their late action and the utterances of their public speakers, and so on——

Mr. MERRIMON. That is argument.

Mr. CAMERON. It is no more of an argument than it was upon the part of the democrats when they said that the whole spirit of the campaign was so and so.

The WITNESS. I can only judge their intentions from the manner in which they conducted their campaign; from their speeches and from their public utterances. That is the rule upon which I formed my judgment.

By Mr. MERRIMON:

Q. Now tell us what those were.

A. The hostile demonstrations that were made from the beginning of the campaign, the rough-riders, armed men attending public meetings called by the republican party and taking absolute control of those meetings, insulting the republican speakers who were present at those meetings, resorting to every species of intimidation for the purpose of overawing the republicans of the State.

Q. Are you speaking of what you know yourself or of what you have heard?—A. I am speaking of what has come to my knowledge from the information that reached me as chairman of that committee; from the public exhibitions that I have seen right at a meeting that took place in this county but twenty miles from this city.

Mr. MERRIMON. Now, Mr. Chairman, that is not within our arrangement.

Mr. CAMERON. Mr. Haskell stated everything that came to his knowledge as chairman of the democratic committee.

Mr. CHRISTIANCY. We allowed great latitude in the examination of Mr. Haskell upon these points, but I think that General Elliott better confine himself to what he saw himself.

Mr. CAMERON. I will ask you, general, did you attend a democratic meeting in this city at which one General Ferguson, of Mississippi, made a speech?

A. I cannot say that I attended that meeting; but the meeting was held in the State-house yard; it was the night of the day on which General Hampton was nominated for governor by the democratic convention. I think it was some time in August last. I was in that building, in the speaker's room. The secretary of state, the comptroller-general, and a gentleman by the name of Mr. Arnim, and Mr. Sparnick, were in the room part of the time. Several others came in and went out. Mr. Sparnick afterwards left the room to get nearer to the stand so as to hear the speakers better. I heard portions of the speeches that were made.

Q. If you heard any portion of General Ferguson's speech, you may state the substance of what you heard.—A. I cannot tell what the whole speech was, because I did not hear it all; I heard detached portions of all their speeches. Sometimes the people would cheer and make a noise, and at that time I could not hear what the speakers were saying, being higher than they were—occupying a high position in the building.

By Mr. CHRISTIANCY:

Q. Give the substance of what you did hear.—A. The tenor of the

speech, from what I heard, was an explanation of the mode of conducting the campaign in Mississippi; the mode upon which the campaign should be conducted, and as to what could be accomplished by so doing. Illustrations of what took place in Mississippi were given to the people. It seemed to be very well received; very favorably received, to judge from the applause from the people that were present.

By Mr. CAMERON:

Q. Was General Gary present at that meeting?—A. Yes, sir.

Q. Did he make a speech?—A. Yes, sir; he also made a speech. General Ferguson said, "I will state that there was one county in Mississippi that I paid some attention to." I think the county mentioned by General Ferguson was Washington County.

Q. That is the county in which he resides?—A. I am not quite sure; I think he said Washington County. He gave an instance of how a majority of three or probably four thousand (I think he said) republican votes were overcome, and they carried the county by six hundred majority, I think, at the last election; and by following the leaders and attending their meetings, and insisting upon being heard at republican meetings, and replying, and checking the lying, as he termed it, that was uttered by the carpet-baggers and scalawags, and by assuring the masses that they did not desire to injure them, but letting the leaders understand that if anything occurred there—if there was the slightest trouble—their lives should be forfeited; and by means like that, on the day of election, without any bloodshed, they carried the county, and changed a republican majority of three or four thousand into six hundred democratic majority. General Gary spoke also, and commended General Ferguson for his patriotism and love of his native State, South Carolina, in coming back, and the good service that he already rendered to them in Edgefield County, and he stated what the Edgefield policy was; but it was a rehearsal of what General Ferguson had stated the Mississippi policy to have been. General Gary did not scruple or hesitate to name the men who should be sacrificed—killed, if necessary—for the purpose of carrying the election.

By Mr. MERRIMON:

Q. Who were they?—A. Why, Governor Chamberlain headed the list. My humble self had the distinguished honor to be mentioned as one.

Q. What do you mean by that; to kill them—to take their lives?—A. Oh, yes. There is one thing I will say, which is not strictly evidence; General Gary is a man that does not pretend to dissemble at all; he says just what he feels; he is an impulsive man, and, by the way, a much better man than many others who pretend to be Christian gentlemen.

By Mr. CAMERON:

Q. Was General Hampton present at that meeting?—A. Yes, sir.

Q. Did he make a speech?—A. Yes, sir; he spoke.

Q. Did he dissent in any way from the views expressed by Ferguson and Gary?—A. O, no, sir; he made a different kind of a speech, of course, from the others, but he did not refer to anybody else's speech, or comment upon any one's speech.

Q. He did not say, "Now, gentlemen, the plans proposed by General Ferguson and General Gary will not do; that must not be adopted," did he?—A. O, no, sir.

Q. Was Mr. Haskell present at that meeting?—A. Why, Mr. Haskell was the chairman of the meeting, I think, for he introduced the

speakers. He made the first speech of the evening, and I think that General Ferguson's speech was a conservative and mild one compared to Mr. Haskell's, for his speech was not only a bitter partisan speech, but was abusive of Governor Chamberlain, personally as well as officially.

Q. You have spoken of one meeting held in this county by the republicans at which the democrats appeared?—A. O, they appeared at several, sir, at which I was present.

Q. Were you present at this one?—A. Yes, sir.

Q. You may give the history of that meeting.—A. That was at Gadsden. I was invited there for the purpose of speaking at a republican meeting, and the meeting was to take place on a Saturday, and I learned Friday night that the democrats had threatened to be in force at the meeting.

Q. I will inquire right here, was the meeting called exclusively as a republican meeting?—A. I so understood it; my invitation was to attend a republican meeting.

Q. Go on.—A. I attended the meeting, and when I approached the ground where the meeting was to be I found three or four hundred democrats there, Colonel Haskell himself in command of them, most of them mounted and armed.

Q. Can you state the day of the month on which that meeting was held?—A. Well, sir, I have no recollection now of the exact time.

Q. Perhaps you can state whether it was early in the campaign or not?—A. O, yes, sir; it was prior to the meeting of the republican State convention, I know, and subsequent to the meeting of the democratic State convention. It was in the month of August or September.

Q. State what occurred at that meeting.—A. Well, I went to the meeting, and on my arrival there I inquired as to the cause of the presence of these men, and was informed by two or three of my republican friends that the democrats had put in an appearance, and insisted upon occupying a part of the time; that they said there should be no speaking unless they had a portion of the time; that they must have an equal division of time with our speakers.

I expressed my disapproval of any such concessions being made to them. I advised that it would be better that the republicans should not remain at the meeting, should disperse and go to their homes quietly without any meeting, if they could not have a political meeting of their own without being interrupted in that way and the time of their speakers so occupied; that it was better for them to retire to their homes without any meeting at all.

But others who were there thought it was best to have the meeting go on; and, that being decided, we thought it prudent at least that there should be an understanding and agreement before the meeting commenced.

Just at that time the colored men there, some of them, were becoming slightly incensed at the conduct of the democrats in putting in an appearance in that way, and to prevent any disturbance we suggested that some of the local men should enter into an arrangement with them, and we would abide by the arrangement that was entered into. Accordingly that was done and the meeting took place. The speaking went on. Everything went off quietly enough, except in two or three instances where men were drinking among the democrats and would use same abusive epithets to the republican speakers when they got up to speak. Aside from that there was no further disturbance there.

Q. Did you attend any other republican meeting during the campaign?—A. I did, sir.

Q. If anything special occurred at any other meeting which you attended please state it.—A. No, sir; nothing of that kind. I was kept in this city a great deal, attending to the duties of the committee, and those meetings that I attended were in portions of the State that were not so terrorized.

Q. In the low country?—A. Yes, sir; and in the eastern section of the State.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. How long do you say you have been major-general in the militia service of the State?—A. I was commissioned in the fall of 1870.

Q. Tell the committee what public offices you have held in this State.—A. Well, I have already told them the whole; I will repeat it, however, if you wish.

Q. If you are sure that you mentioned all yesterday I do not care to inumber the record.—A. I did, sir.

Q. I understood you to say yesterday that the adjutant and inspector general was an officer subordinate to yourself in the militia service?—A. O, his rank, of course, is subordinate; he is a brigadier-general.

Q. Is he not an aid of the governor?—A. He is an aid of the governor.

Q. And all orders from the commander-in-chief come from his office to you, and pass through you to the militia?—A. Yes, sir.

Q. That is the way it comes?—A. Yes, sir.

Q. And he has official charge and custody of the records of that office?—A. Of that office; yes, sir. It does not follow that course, though, in going up to the governor.

Q. If you want a paper there you apply to him as the custodian?—A. Yes, sir.

Q. You examine any papers there or records by his permission; you have no official control or custody of them?—A. But there are papers there absolutely in my control.

By Mr. CHRISTIANCY:

Q. You are the superior officer of the adjutant-general, are you not?—A. He is the custodian of certain records of his office. There are records pertaining to the militia of which I am custodian.

By Mr. MERRIMON:

Q. What are they?—A. Departmental orders, &c., and general orders.

Q. Have you an office at the capitol separate and apart?

The WITNESS. A military office?

Mr. MERRIMON. Yes, sir.

A. In the same office with the adjutant-general.

Q. The point I want to get at is whether you have any official control of the records in that office?—A. No, sir; not in the adjutant-general's office.

Q. Then it is a fact, in law as well as in practice, that the orders of the commander-in-chief go through that office?—A. Yes, sir.

Q. That what you call your militia in this State, including the national guard, was organized under the law which we find in the book of laws of your State entitled "The Revised Statutes of South Carolina, title four, chapter 15, entitled 'the militia'?"—A. Yes, sir.

Q. Subsequently the act of March 17, 1874, was passed?—A. Yes, sir.

Q. Has any other law been passed affecting the organization of the militia beside what we have in this volume and that act?—A. No, sir.

Q. That embraces all the laws upon the subject of the militia?—A. Yes, sir.

Q. How many regiments composed the national guard anterior to the act of March 17, 1874?—A. Well, sir, sixteen or seventeen regiments, I think. I do not remember whether the seventeenth regiment was created before that act or not.

Q. Each regiment consisted of how many companies?—A. Well, sir, there was supposed to be ten companies—the maximum.

Q. And each company consisted of how many men?—A. Well, sir, the maximum number was eighty-three or eighty-five men.

Q. Were all those regiments armed from the arsenal of the State?—A. I cannot say all. I do not think all were armed.

Q. What proportion?—A. At least three-quarters of them that were organized without arms.

Q. Were they supplied with ammunition?—A. Well, no; they were allowed ammunition on occasions such as gala days, &c., when they wanted it for target exercise. If they applied for it properly they would get it.

Q. Did the law allow them ammunition for target exercise?—A. Well, sir, the law did not restrict it in any way. That was with the commander-in-chief. They could only get it by application to the governor himself as commander-in-chief; that is, it had to come through the regular channel. He had to approve it before they could get it.

Q. Where were those national guards mostly, in what portions of the the State?—A. Why, in all portions of the State. They were not confined to any particular portion. They were divided between the counties according to their size and population—so many companies.

Q. Did each county have at least one company?—A. O, a company; yes, sir. When the division was made there were so many companies assigned to be raised in each county. Whether they were so raised in every county I have not the recollection just now, but I think that in almost every county there was a company at least.

Q. Was this national guard composed exclusively of colored men?—A. Well, almost entirely of colored men. There were a few exceptional cases, and the officers especially. There was for a time one or two white companies here.

Q. Were they a part of the national guard?—A. Yes, sir.

Q. Regular companies?—A. Yes, sir; right in the city. I recollect one—Captain O'Neil's company.

Q. Can you give us some definite idea how many there were?—A. I do not recollect how many there were, but my impression is that there were two in this county.

Q. Why were not white companies organized?—A. Because the national guard was a volunteer organization. They were assigned so many, and they had the right to raise the companies and make application and they would be accepted. The companies would be accepted.

Q. Was it optional with the commander-in-chief whether he would accept or reject the company?—A. Yes, sir.

Q. Do you know whether any white companies were tendered to him?—A. As I have stated, I know one that was tendered; Captain O'Neil's company was tendered and accepted.

Q. Do you know of any others in any other portion of the State?—A. I do not recollect any other.

Q. What became of that company?—A. It was disbanded afterward, and the arms taken away.

Q. By whose order?—A. By the order of the commander-in-chief.

Q. Do you know the reasons why it was disbanded?—A. The reasons, as I understand them, were that in 1870, in the time of what was known as the Ku-Klux troubles in this State, when the raid was made on Union jail and the prisoners taken out of the jail and hung by these armed and disguised bands of men, there was naturally, of course, an excited state of feeling, and the governor, fearing an outbreak, from the information that had come to him from different parts of the State, sent for Captain O'Neil to know whether he could have his company in readiness in order to maintain the peace, if he was called upon, and to suppress violence or insurrection, and Captain O'Neil said to the governor that if there was any trouble at all between the white people of the State and the State government, or the colored people, that he would go with his race or his people.

The governor said to him that he did not regard it as being a matter of race at all, but regarded it as a matter of maintaining the law. He did not call upon him to move against any particular party, but against those who should be acting in violation of the public peace. Captain O'Neil still stuck to his view as expressed in the first instance, that he would go with the white people, and so on; and Governor Scott thought he was not the proper man to be subject to his order in times like those, or to have the arms of the State, and he took them away and disbanded his company.

Q. Did he disband at that time any of the colored companies, any of the colored national guard?—A. I do not know that he disbanded any of them. I know that there were no colored companies that maintained such an attitude; hence I do not think that there were any of them disbanded for that reason. There were several colored companies about the time, that is, about the same year, that had their arms taken away from them.

Q. On what account?—A. I cannot state the special reasons why it was done, but it was done by the order of the commander-in-chief. They were ordered to store their arms under the care of certain persons. I remember at Rock Hill, for instance, and at Chester, the arms of the militia that were at Rock Hill were stored in the depot, and the depot was broken open and the arms carried away by disguised men at night.

Q. You do not know personally of that?—A. I get it from official report.

Q. Is that on file in your office now?—A. I do not know whether it is on file or not.

Q. How were those national guards officered; did they elect their officers?

The WITNESS. The captain and lieutenants?

Mr. MERRIMON. Yes.

A. Yes, sir.

Q. They elected their officers?—A. Yes, sir; and sent them up. The company in the first instance chose the officers, and reported the fact to their regimental commander, and if he saw fit he recommended the commissioning and appointment of the parties, and so on.

Q. They elected their officers by the popular vote of the company?—A. Yes, sir.

Q. That was reported to the commander of the regiment?—A. Yes, sir.

Q. And then he applied for their commissions to the commander-in-

chief?—A. Yes, sir; sending the application through the regular channels.

Q. To the governor before issuing the commissions?—A. Yes, sir.

Q. This company at Hamburgh, commonly called Dock Adams's company, you say had an existence under the law as it existed before 1874?—A. Yes, sir.

Q. The first captain was Prince Rivers?—A. Yes, sir.

Q. Who afterward became colonel, and after that became a major-general?—A. Yes, sir.

Q. He is now a major-general of the national guards?—A. He is now a major-general of the national guards; major-general of a division.

Q. Under the act of 1874 it became imperative to re-organize this national guard?—A. Yes, sir.

Q. And under that act there might be a new organization; were there any new companies formed?—A. Well, I think there were.

Q. I do not now speak of re-organization. I ask if there were new companies formed; if there were regular applications made as provided in the statute for new companies?—A. I think there were new companies formed.

Q. Do you remember any just now?—A. I cannot remember any specially at present.

Q. How many companies in the State organized under that act of 1874?—A. Well, I have never charged my memory with it; never had occasion to look at the number. Regiments and companies re-organized, many of them.

Q. By section 61 of that act the governor was required to appoint a board of officers who shall prepare the necessary blanks for the use of the militia of this State. Do you know whether the governor did appoint such a board?—A. O, yes, sir; it has been appointed.

Q. This act was approved March 17, 1874. When did he appoint that board?—A. I have no recollection of the date of the appointment. The papers on record would show when the appointment was made.

Q. Is there any data in the office of the governor which shows when they were appointed?—A. I am not quite sure whether there is or not; but upon inquiry such papers might be found in the executive office.

Q. Was that board appointed during the year 1874?—A. It might have been some time that year. I was a member of the commission myself.

Q. It is material for my purpose to know whether it was in 1874 or 1875.—A. I have no recollection now.

Q. Can you give us your impression?—A. My impression is that it was probably during the year 1874. It is very likely to have been at that time.

Q. But when it really was you do not remember?—A. I cannot now remember. If it be important I can probably find records that will fix that date.

Q. I will thank you to find that record and furnish us with it so as to fix the date precisely. Were the companies composing the national guard re-organized over the State generally?—A. No, not generally.

Q. The law commanded it; why was it not done?—A. I cannot state why it was not.

Q. Is it within your knowledge as adjutant-general that it was not done?—A. Not generally. You ask the question was it done generally all over the State, and I say no, not generally; it was done in many places, but not generally all over the State.

Q. Was the company commonly called Dock Adams's company ever re-organized?—A. Yes.

Q. When?—A. The re-organization of the company was perfected in April of last year, 1876.

Q. Was the muster-roll filed as required by section 9 of the statute of 1874?

The WITNESS. Was there a muster-roll filed?

Mr. MERRIMON. Yes.—A. Yes, sir.

Q. I then call your attention to this provision of the statute: "Companies now in the service of the State shall at once re-organize under the provision of this act, by the members signing proper enlistment-rolls and being mustered into the service of the State as part of the national guard." Now I ask you if the members of that company signed an enlistment-roll as provided by the clause I have read to you?—A. I do not know whether they signed it or not; there is an enlistment-roll.

Q. Have you any official or personal knowledge that that company re-organized by signing the enlistment-roll?—A. Well, I know there is a roll for that company which purports to be the roll contemplated by the statute. I cannot say whether it was signed by the men or not.

Q. Where is it?—A. I suppose that the roll is now in the hands of the adjutant-general of the State.

Q. Do you know when it went there?—A. That I do not know.

Q. Do you know whether that company after they signed that muster-roll were mustered into the service, for that has a technical meaning; they must have been mustered by some proper military order. I ask you do you know that as a military commander; I ask you now if that was done?—A. No, they were not regularly mustered, but the oaths were taken by the men at the time that I mentioned—I think it was in April, 1876. The oaths were transmitted to their colonel and were in his possession. Whether he took any further steps toward the matter or not, I do not know.

Q. You do not know whether they were mustered or not?—A. I do not know whether they mustered or not.

Q. If they were you have no official or personal knowledge of it?—A. I have no official knowledge of any further mustering by any order transmitted through my department.

Q. Upon their re-organization did they elect their officers?—A. I think the letters of the colonel applying for a commission show that.

Q. I do not want to trouble you further than to answer facts that are fair and just.—A. I understand that full well. I have said that as far as the matter is concerned I only—

Q. I ask you if you have personal or official information that that company elected their officers upon the re-organization that you referred to?—A. I have. I so stated to the committee here yesterday.

Q. Were those officers commissioned upon the re-organization?—A. I do not know whether they received any commission from the State.

Q. Do you know whether Dock Adams ever had any commission?—A. I do not know whether he ever had.

Q. Section 10 of this act—I ask your attention to it now—requires that "the original of this muster-roll shall be forwarded to the office of the adjutant and inspector general within ten days from the date of muster of the men, and one roll shall be retained by the company commander." I ask you now, if that company signed that muster-roll in April, if that duplicate or one of those triplicates was forwarded to the adjutant-general, as required by this section?

The WITNESS. Within ten days?

Mr. MERRIMON. Yes, sir.

A. I do not understand it was; I do not know as it made any difference in the status of the company.

Q. We want facts, and then we can get along with the law.—A. I will state that, as far as my knowledge extends, they never insisted upon the carrying out of any part of that statute in any such way.

Q. But it could not be contended that any officer of any executive department could organize the militia except by virtue of the statute, and if this statute was not complied with, as a logical consequence it could not be militia; but that is mere argument. I find in the 9th section it says: "Provided, the general commanding the division to which each company or companies may be attached shall have power to extend the time for the re-organization therein required, upon the recommendation of the regimental commander." This section requires that this re-organization should take place by the 1st of January, 1875?—A. Yes, sir.

Q. More than a year and three months after this re-organization took place that you spoke of. I ask you now whether the general commanding the division extended the time, within your personal knowledge or official knowledge, for this company to re-organize?—A. I do not know, sir, whether he did or not. I stated yesterday, in my testimony here, that General Rivers was himself one of the commission, and that the commission did not at once perform its functions.

Q. And that the blanks necessary to re-organization were not furnished until after the 1st of January, 1875?—A. I do not know whether it was after the 1st of January, or when it was, but I know that they were not furnished within the time for them to re-organize by the 1st of January, 1875, and I doubt whether they were furnished until some time in the middle of the year 1875; but they were out of the printer's hands. I think, though, if it is important, I can get the facts in reference to that matter from official data.

Q. Do you know whether Dock Adams's company was really disbanded after the passage of this act of 1874 and the arms gathered up by the colonel?—A. I say it was never disbanded; that I believe I can say positively from my personal and official knowledge, for it could not be disbanded without my sanction at least.

Q. That depends upon the legal effect of this statute; that is a question of law. If the law required it, then your sanction would not be necessary. It is a question of law which we will not debate now. Do you know that the commanding officer of the regiment did collect the arms of Dock Adams's company, so called, and that he had them stored, and that they were within his jurisdiction prior to the 4th of July, 1875?

The WITNESS. Who is that, sir; John Williams?

Mr. MERRIMON. Yes, sir.

A. Yes; he collected the arms.

Q. Had they been put in a house under his jurisdiction and control?—A. No, sir; I do not know that. I know that the arms were at the date prior to the time mentioned by you so stored. They had been collected by General Rivers, and when Williams became the colonel of the regiment he caused their transmission to Williams.

Q. Why was that done? Why did General Rivers take custody of those arms?—A. They always had a drilling-room, the company did; but several members of the company did not live in the incorporation; they lived outside, and they were in the habit of taking the guns home, and they had them scattered in that way, and were not apparently attending the drills regularly, and he gathered them to preserve the arms

for the State. He did it by virtue of no military order from the commander-in-chief, or any one else.

Q. If he did that as to men living outside of Hamburgh, and who did not attend the drills regularly, or perform their duty, why would he take the arms of the men who lived in the town?—A. I did not say so. I think he took the arms only of the men outside. I say that was the cause. The ranks of the company had become depleted from the cause that those men outside had carried off the arms.

Q. He did not take all the arms then and store them?—A. I do not know whether he took all the arms; but I suppose he took most of the arms, if not all, because the company had ceased to drill regularly. The cause for that I will state if you require. The cause of the cessation of the militia to drill throughout the State was due in greater part to the hostility that was manifested against them by the white gentlemen throughout the State than any other cause.

Q. If the colored race were in apprehension of what the whites were going to do, was there not greater reason why they should stand by their arms?—A. No; if they were an aggressive race they probably would; but—

Q. Do you know how many arms there are in your armory?—A. No, sir; it is not in my custody.

Q. Do you know what the arms purchased by the State have cost the State from time to time since you have had knowledge of public affairs here?—A. No, sir, I have no recollection; but it is all in the public records.

Q. Passing then from that subject to another that you adverted to in your testimony, you referred particularly to a speech made by Colonel Haskell on one occasion in this city when you said that he made an ultra and (I understood you to say) a very bitter speech?—A. O, yes, sir.

Q. You spoke of it in general terms without giving us any particular points that he made or the language he used. Now, give us the substance of what he said that you thought was so objectionable?—A. I may be mistaken, sir, but in my judgment it was very bitter and very scurrilous.

Q. Tell us what he said?—A. He referred to the chief executive of the State, Mr. Chamberlain, under whose command he held a commission at that very moment, as a sneaking, miserable, lying cur, who had sneaked off to Washington to the man Grant—

By Mr. CAMERON:

Q. To the man Grant?—A. To the man Grant; and that was not the worst of it. Nor would I care to repeat here the language he used.

By Mr. MERRIMON:

Q. I do not expect you to give the exact language, but give us some of the specimens?—A. Yes, sir; that was one of the specimens. He referred to the governor as this miserable Yankee, this man Chamberlain, this Massachusetts—calling him what is generally known here as a carpet-bagger and all such things—Massachusetts carpet-bagger, and such epithets.

Q. While upon the subject of Mr. Chamberlain, I ask you whether or not, after he came into office, there were not wide differences between him and many of the leading men of his own party; whether he proclaimed a purpose of reform in the State, as was said at the time. That was soon after he came into office?—A. Yes, sir.

Q. He proclaimed his purpose in his inaugural?—A. Yes, sir.

Q. I ask you whether there was a wide difference between him and

many of the leading men of his own party at that time on account of what they regarded as a change of his political views and purposes?—
A. Upon what, sir.

Q. Upon public matters in the State?—A. Upon measures of reform?

Q. Yes, sir?—A. No, sir; I am not aware of any difference between Governor Chamberlain and any of his political friends upon questions of reform. There have been differences between Governor Chamberlain and others; I will say for myself that there has been a difference between Governor Chamberlain and myself as to what constituted reform; as to whether, as I conceived it, a surrender of right and of truth was reform.

Q. Well, I will come to that in a moment. I ask you whether at the time he made his inaugural address and was making the professions to which I have adverted from time to time the white people, commonly called the democrats of the State, rallied to his support and gave him their confidence or manifested a willingness to do so?—A. Yes, sir; there was a time when the democracy were fulsome in their praises of Governor Chamberlain; when any man that differed from Mr. Chamberlain's policy was readily denounced.

Q. Did the white people rally to his support, as I have asked?—A. I do not know how well they rallied to his support; there seemed to be a disposition at any rate to—

Q. Did their newspapers and public men say kind things of him?—A. O, yes, sir; they said a great many kind things of him, sir.

Q. And sustained him?—A. You mean their representative men, for instance, in the legislature?

Q. Yes, sir.—A. Well, for instance, in the legislature their representatives would sustain him frequently.

Q. Well, then, at that same time was he at issue with the leading men of his own party, yourself included?—A. Well, I do not know as he was specially at issue with myself; I can't speak for myself; I do not know that we were specially at issue, because there is no time that we ever ceased to be personal friends, and we conversed frequently; and though we differed sometimes upon the means of carrying out those reforms, we never differed as to the end in view.

Q. Was he not repeatedly denounced by public men of his own party?—A. I do not know that; I have no recollection of it.

Q. Let me call your attention now to a particular occasion in which, at the convention of the republican party in this city which assembled at the State-house, there was a very stormy debate in which you participated, and in that debate you denounced Chamberlain; and, holding papers in your hand, asserted to the convention that you had in your hand papers that would send him to political death.—A. I here denounce that, as I have denounced it in the public prints and elsewhere, as a base falsehood, an utter fabrication, a falsehood uttered knowingly, and conceived for a purpose and repeated for a purpose. It is false, and if I may call your attention to the Charleston News, (which is the paper that has since that convention repeated and heralded the falsehood all over the country,) its own columns prove that those statements were false, for its reporter who was there and reported my remarks stenographically reported the words just as I uttered them, and they do not bear any such signification, nor can they be tortured into any such meaning; and I will furnish the paper, if necessary, to this committee.

Mr. CAMERON. I wish you would.

Mr. MERRIMON. I would be glad if you would do that. State whether you denounced Governor Chamberlain there.—A. No, sir; I never made

any such utterance at all. I spoke of Governor Chamberlain, sir—well, differed with him upon measures. I distinctly announced then that there was no difference between Governor Chamberlain, as to his measures of reform, and myself, but that I doubted much the wisdom of his policy. I condemned his course then, as I had condemned it before in his presence—his action in regard to the election of Whipper and Moses. I said he had no right, nor any power, under the laws and constitution, to pass upon the fitness of candidates for official positions; that he was assuming too much in doing so.

Q. Did you oppose his nomination at that time?—A. Yes, sir.

Q. Upon what grounds?—A. I said that he had overstepped what I thought to be his just prerogative in refusing to commission those men after they had been elected by the legislature. I said he had nothing to do with that. I also, in that speech, on that very occasion, referred to what I conceived as a want of fealty on his part to the principles that underlie the political party to which I belonged; that I thought he was wanting in full sympathy with the race to which I belonged, and I so announced.

Q. Passing from this, I ask you whether Governor Chamberlain, on his part, did not, in a message or speech or letter, denounce in strong terms of reprehension many of the public men of his own party?—A. I do not know, sir; I have heard that Governor Chamberlain has so denounced me, but I have yet to find any one that can furnish me the proof. Governor Chamberlain has denied it publicly and he has denied it privately, and I have yet to meet the man that can say that he knows that he has done it.

Q. Had he denied it before he accepted the last nomination that he received at the hands of the republican party of the State?—A. Why, the declaration was not made until then; there was no necessity to deny a charge that had not been made. The charge has been made since by his former democratic friends.

Q. I ask you whether he made allusion to them in any of his public messages or speeches?—A. I have no recollection of any of his public messages or speeches bearing any such language upon their face. I do not know of any individual that he so denounced.

By Mr. CAMERON:

Q. We have had various tables presented to us, showing the vote cast in the State at the last election and at some prior elections, and also analyzing the white and the colored vote. I will ask you if you have any such table that you have prepared from official sources?—A. Well, sir, I have had one prepared for my own use. I cannot say that it is complete, as complete as I designed to make it. I have not had the time to make it complete as I wanted. There are some of the columns that I have only put down for my own information, and I do not know that your committee would have any occasion to refer to them. I have taken some pains to compare not only the number of votes for governor in 1876 with the census, but to compare the number of white voters at the last election with the number of white persons under the census of 1875 over the age of twenty-one years who were entitled to vote; and the colored in like manner. [Table inserted in documentary evidence.]

By Mr. CHRISTIANCY:

Q. Are the votes from all the counties distinguishable; do all the returns distinguish between whites and blacks?—A. All except three counties that are not here.

Q. Which are they?—A. Charleston County, Edgefield, and Laurens.

In Charleston County, on account of the number of precincts and the great number of people, they did not transmit separate blanks, &c. The county canvassers or commissioners of election have had blank books printed in which the returns are made, and in those blanks, so printed, there is no distinction made, no place for distinction to be made between the white and colored voters. They simply give the total number of votes cast at each precinct; but in Edgefield and Laurens the blanks were prepared for the purpose, and the talesmen provided for a distinction to be made, but, as appears from the face of the returns, (which the committee can examine themselves,) they were deliberately struck out.

Q. They were struck out, at all events?—A. Yes, sir; they were struck out, and the names all mixed.

Q. So that the distinction between white and colored does not appear in those counties?—A. No, sir.

Q. At the last election?—A. Yes, sir; at the last election. In one precinct in Laurens where they had the columns filled in which made that distinction, the figures, it appears, had been scratched off afterward. It was scratched out and the erasure appeared.

Q. From what did you compile that table?—A. From the commissioners' returns, and going back to the managers' returns where there is any doubt.

Q. You are talking now about the last election?—A. Yes, sir; about the last election, and the others, from the official records.

Q. Of former years?—A. Of former years; yes, sir.

Q. And is that statement of the census taken from the official census?—A. The statement of the census is taken from the returns of the census in the office of the secretary of state.

Q. Is there any mode in which you can approximate the respective numbers of white and colored in any one of those counties where the last election returns did not distinguish?—A. Yes, sir.

Q. Explain how.—A. For instance: by the census in Laurens County, the colored voting population is returned at 2,844 votes in that county. At the last election Mr. Chamberlain received 1,804 votes in that county. Well, I think both sides will agree that if there be a county in South Carolina where the canvass was reduced to a race issue it was in Laurens; that is, as returned by the votes—the voters. I do not think that it would be contended on our side that there were two dozen white men in that county who voted the republican ticket; and if we were to allow such a claim, I have no doubt that it would be at once contended on the other side that there was no such number of white men in Laurens County who voted the republican ticket; so that it may be reasonably set down that those 1,800 votes were colored votes that Mr. Chamberlain received. Now the vote of General Hampton is 2,916 in the same county. You will see that from the number of votes cast, and from the number entitled to vote in the census of colored voters, there were 1,040 colored voters to be accounted for.

Q. Who, if they voted at all, must have voted for Hampton?—A. Yes, sir. But it is clear that all did not vote, or else the aggregate of the whole would have been greater by this 1,040 not accounted for on the republican vote. The white vote in Laurens, by the census, is 2,259. There were 2,916 votes cast for General Hampton, so that the difference between the white census of that county and the vote actually cast in 1876 for Gen. Wade Hampton, in that county, must be either accounted for by an increase of the white votes over the census or by that number of colored voters voting for Mr. Hampton. I did not put any mark in

the columns, for this reason : There would be still between four and five hundred not accounted for in the vote that didn't vote at all, according to the census. I do not wish to enlarge, but I think I can furnish the evidence that nearly the whole thousand of them did not vote at all.

Q. In Edgefield, the returns did not indicate any distinction between the whites and blacks?—A. No, sir.

By Mr. MERRIMON :

Q. But did the census?—A. O, yes, sir ; the census distinguished that. But in Edgefield there was only one or two precincts where the distinction was observed. In fact, it is in evidence before another tribunal. By looking at the census table of 1875, it will be found that the white vote of Edgefield is set down at 2,722.

By Mr. CAMERON :

Q. That is, of white persons above the age of twenty-one years?—A. Of white persons above the age of twenty-one years entitled to vote. It is set down to be 2,722 colored, and the whites at 4,400.

By Mr. CHRISTIANCY :

Q. Just 4,400?—A. Yes, sir ; just 4,400 ; making a total of 7,122 voting population by that census. In the last election the total number of votes cast in Edgefield amounted to 9,374, of which Chamberlain received 3,107, and General Hampton received 6,267.

Q. The number of votes which Chamberlain received there you estimate as colored votes, or nearly all so?—A. All parties agreed to that, sir. I am not talking from my own impression ; I am speaking from what is conceded, what is generally admitted by all persons—that there were not a dozen white men in Edgefield who voted the republican ticket. That is what is claimed on the other side.

By Mr. MERRIMON :

Q. That may be all true, but I will not concede, on the other hand, that Hampton did not get a vast number of colored votes.—A. If you will permit, I will show why he could not have got the whole of this surplus vote from the colored people.

By Mr. CAMERON :

Q. You can state where the information can be found ; there is no objection to that.—A. Now, admitting the vote for Mr. Chamberlain to be 3,107, there are 1,293 colored votes——

By Mr. CHRISTIANCY :

Q. Colored votes yet to be accounted for?—A. One thousand two hundred and ninety-three colored votes to be accounted for. The white vote, by the census, was 2,722. The number of votes cast for General Hampton was 6,267, which is a vote of 3,545 in excess of the white vote. Deducting the 1,293 colored votes yet to be accounted for from the 3,545 votes in excess of the white voting population, and still, with that allowance, there would be 2,252 votes cast in favor of the democratic party in excess of the white vote.

Q. And of all the colored voters and all the white voters shown in the census?—A. Yes, sir ; in excess of the whole voting population.

Mr. MERRIMON. This evidence is put down without my consent ; it is mere speculation.

The WITNESS. My statement as to Edgefield is not speculation, but it is the result of inquiry, and the result of arithmetic. I have in this statement a column which shows the returns from all the counties ex-

cept in Edgefield, where it is approximated, and in Williamsburgh there is one poll omitted; that is a small poll, and I have so marked it. Laurens is entirely omitted.

By Mr. CAMERON :

Q. With those exceptions, give what the result was.—A. The result shows in the several counties an aggregate increase of the white vote over the number of white persons over the age of twenty-one years by the census of 1875, of 6,732 for the State, while the excess of the colored vote over that census appears only in two counties, and amounts to 928 in the aggregate; but the deficiency of the colored vote of 1876, as compared with the census of 1875, amounts to 7,180 for the whole State, while the decrease or deficiency on the part of the white vote in the counties where such decrease appears at all throughout the State, amounts to but 346. I would ask the attention of the committee just here, if I am permitted to do so in further explanation, to Colleton County, which is a republican county. By the census in that county the colored male population over the age of twenty one years amounts to 4,217. It will be seen that by the returns there were 4,728 colored persons who voted in that county, showing an increase of 511 colored votes in the last election over the census. I do not know but it may have been presented before the committee. I mention it here because it has been in the newspapers sought to be charged that this is a fraudulent vote on the republican side in excess of the census. I was trying to ask the attention of the committee to the return of the vote for Mr. Chamberlain, which was but 4,163. Allowing that no white person at all voted in that county for Mr. Chamberlain, his vote is less than the colored vote alone, so that the benefit of that increase over the census does not appear from the returns to have been given to Mr. Chamberlain or to have accrued to him.

Q. We do not care about going into the vote for governor.—A. I only mention that because there is a column of the vote for governor in the table.

By Mr. MERRIMON :

Q. I have objected to the reception of this table; but taking it to be true for the purpose of this cross-examination, or for the purpose of examination at all, tell us definitely how it is made up—from what data.—A. From several data. In the first place, the two first columns, showing the number of white persons who voted at the last election and the number of colored persons who voted, are taken from the commissioners' returns and the managers' precinct-returns for the last election.

Q. This data is not taken from the official returns in the secretary of state's office?—A. That is the only return we have, the commissioners' and managers' returns that come to the board of State canvassers.

Q. Is that table made up from the returns in the office of the secretary of state, and the returns for governor in the office of the clerk of the legislature?—A. No, sir; I took it from the face of the returns.

By Mr. CHRISTIANCY :

Q. You took it from the official returns?—A. From the face of the returns as they came into the secretary's office, from the board of State canvassers without reference to any subsequent action.

By Mr. MERRIMON :

Q. You did not go back to the counties to see the returns there?—A. It is not made up from the returns as they are in the counties, but as

they are in the returns made to the State board of canvassers. Those are the only returns that are in the counties; these are only duplicates filed there; the originals come here; they do not remain in the counties. The managers' precinct-returns come here, and accompanying them is a consolidated statement of the commissioners of the county.

Q. This is made up from data in the office here?—A. That is what this was made up from.

Q. Do you know the aggregate republican vote of the State, without reference to majorities at all, at the late election; did the republican ticket receive the largest vote that it ever received in the State?—A. Yes, sir.

Q. The white vote was largely in excess of what it has ever been before?—A. Yes, sir. The republican vote was probably eight, or it might be ten. thousand more than it had been before. I will say six or eight thousand, probably, while the democratic vote was from twenty to twenty-five thousand larger.

Q. I will ask you this: whether there has ever been an election since the reconstruction policy of Congress went into operation that brought out the full white vote at the polls?—A. Why, I should think so.

Q. You differ very widely from others in that; give us the basis of your information.—A. I will tell you why I say so. In 1870 we had a campaign as exciting on the part of the democrats and the republicans as this campaign has been; when there seemed to be as much interest taken in the canvass as there has been taken in this; when the turbulence and violence on their part was as great as it has been in this campaign, and, if anything, greater.

Q. I want to ask the witness one other question that I omitted to ask him under its proper head: whether within the last six or eight months any arms or ammunition has been issued to the militia?—A. I am not aware of it.

Q. Would it have come under your official notice if it had?—A. No, sir; not personally. Applications for ordnance and such things go directly to the adjutant and inspector general, as the ordnance and inspection officer.

FRANK H. EATON—RICHLAND COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

FRANK H. EATON sworn and examined.

By Mr. CAMERON :

Question. Where do you reside?—Answer. In Columbia.

Q. How long have you resided in Columbia?—A. About two years.

Q. What official position, if any, have you held?—A. United States commissioner.

Q. How long have you held that office?—A. About eight years; ever since I have been in South Carolina.

Q. You may state whether or not you were in the county of Barnwell during any portion of October last.—A. I was.

Q. Had you any conversation with any democrats in that county in regard to alleged intimidation?—A. Yes, sir; a great deal.

Q. If you had any conversation with any of the democratic persons who were charged with intimidation, you may state it.—A. I had continual conversation with them, I might say.

Q. State any conversation that you had with any person charged with intimidation.—A. I would issue a warrant and arrest a person charged with intimidation, and he would be brought before me, and I would have a conversation with him; but there were, perhaps, fifty or one hundred such cases. I do not refer to any particular conversation; I merely say I had general conversations. Then I had a conference with leading democrats of the country—such men as Johnson Hagood and others.

Q. Mr. Hagood has been before this committee, and you can state any conversation you had with him.—A. It would be simply to the effect that they denied that anything of that kind had occurred. I can't recall any special conversation.

By Mr. CHRISTIANCY:

Q. These parties all gave recognizances or bonds for their appearance?—A. Yes, sir; wherever they were arrested. A good many we did not succeed in arresting. There was one case of intimidation I have neglected to mention. It was at a public meeting; I suppose it would come under that head. It was while a republican was speaking.

By Mr. CAMERON:

Q. You can state that.—A. There was a republican meeting held in Blackville on some day during the month of October; I don't remember the day. After the meeting was organized, and while a republican speaker was addressing the meeting, a body of mounted white men commenced riding by the stand; and as they rode by they yelled and howled, but otherwise they did not interfere with the meeting.

By Mr. CHRISTIANCY:

Q. Were they armed with pistols, and so forth?—A. I was not near enough to see them; I was some distance from them, and did not see any arms. They had banners flying, and such as that.

By Mr. CAMERON:

Q. Did you observe the inscriptions on their banners?—A. Yes, sir.

Q. You may state what those were.—A. "Vote for Tilden," "Vote for Hampton," and such as that. They rode by several times in this way, and then they organized a meeting of their own. About two hours after that one of the party came over to the republican meeting.

Q. One of the democrats?—A. One of the democrats. He forced his way up to the stand when Mr. George W. Clark was speaking; I saw him force his way to the stand; and he has since been arrested for acts that he committed.

By Mr. CHRISTIANCY:

Q. What was the charge?—A. An attempt to shoot the speaker.

By Mr. CAMERON:

Q. Did he or not enter into a recognizance for his appearance?—A. I had him confined in the back part of my office, intending to do nothing about the matter until the meeting was over. The captain of the body of men in town came to me and begged that I would release him. He went to all the republicans there, and especially Mr. Clark, with the same request, and promised that his future behavior should be good; and finally Mr. Clark asked me to release him if he would apologize, as he offered to do. The feeling was very much excited there, and we did not wish to show any undue strictness. I released him upon the promise of the leader of that body of men he came into town with, and the

leader of another body of men—we call them leaders of rifle-clubs, though they said they were not leaders of rifle-clubs—that he should go right home and behave himself.

By Mr. CHRISTIANCY :

Q. Did he apologize at all for it?—A. No, sir; we could not find Mr. Clark there that day. He apologized to me and all the rest of us, but we could not find Mr. Clark, or no doubt he would have apologized to him.

Q. What was his apology?—A. That he did not know what he was about and was sorry for it; and immediately after he left he rushed up to the stand and swore that he would kill the damned son of a bitch any way; that was just as soon as he got out.

By Mr. CAMERON :

Q. Where were you on the day of the election?—A. I was at Laurens Court-House.

Q. State anything that occurred within your observation there tending to show intimidation.—A. About eleven o'clock on the night preceding the election a violent noise commenced in the public square. I never heard so much noise made in any night in my life—yelling and howling and cursing, and discharging of guns and pistols. Of course I could not say who it was, but the cheers were for Hampton and for Tilden. In the morning, about six o'clock, before daylight, I got up, and found the town full. Well, I say full; there was, at least, a thousand men, I should say; nearly all of them had on red shirts or blue shirts, with feathers in their hats, and most of them had on pistols; I could see the pistols plainly; they didn't attempt to conceal them. These men just collected and crowded around the polls, and, as near as I could distinguish anything, there seemed to be no opportunity for republicans to get to those polls to vote; but it was very dark, and I could not see any violation of law committed, though I could hear, in every direction, the yelling and noise, and I could see that they were all white men and that no colored men were there. That was the impression on my mind, though I did not see it. Then I watched, and I saw some colored men come up to vote, and as they went up to vote I could hear through the crowd such threats and curses of every description concerning men who were going to vote. I tried to get my eye on them; Captain Ladd was with me, and we tried to identify the persons who were doing it, in order that we might arrest them, but it was very dark and we could hardly see; we could hear it and that was all. The leading republicans came to me and said to me—

Q. You cannot tell what the complaint was, but if you took subsequent action on account of that you can state that.—A. The republicans could not get up to those polls to vote, and some of them were going home. I said, "Don't let them go home. There is a long day before us. You shall all have a chance to vote." One of them said, "They have arrested some immediately after voting." I said, "Who has arrested them?" He said, "The trial-justice has issued warrants for their arrest." Well, I had all those things to look after, and I then sent for the chairman of the democratic club and said to him, "This thing must stop."

Q. Referring to what?—A. Referring to the crowd of white men around those polls. There were very near two hundred men around the polls.

Q. About what time of day was that?—A. It had then got to be about seven o'clock in the morning. I said, "This must stop; either a

way must be cleared to these polls or arrests must be made." I said to him, "I don't wish to do anything to stir up strife here at all, but unless these republicans are given an opportunity to come to the polls I shall commence making arrests." Well, everybody was very much excited, but he finally said that it should be stopped, and he then went and called away some persons who appeared to have been making a noise, and whom he knew, but I didn't know, and it was quiet then. I then went over to the trial-justice's office to see what arrests had been made, and I found that he had issued warrants in a legal manner for the arrest of persons charged with voting improperly, they being under age or non-residents. He asked me if he had any authority to do it, and I told him certainly he had. While I was in his office a prisoner was brought in charged with voting under age. The evidence against him was simply this, given by a white man: "I know this man; he was born about the same time I was, and I don't think he is twenty-one years of age." Upon that evidence the trial-justice required the defendant to give bonds for his appearance at court. The crowd dispersed, and the trial-justice said to me, "Well, what do you think of this case?" I said to him, "I think if you continue disposing of cases in this way you will find yourself in the United States court before many weeks." He came to me a little time afterwards and said he had discharged the prisoner besides others who had been arrested in the same way.

Q. Was this trial-justice a democrat?—A. I don't know what he was.

Q. Was he a white man?—A. A white man. It is very hard for me to describe to you what the state of affairs was there that day, but I know how it looked and felt. It was my duty to arrest persons who violated the law, and I really could not see any open violation of law to put my fingers upon.

By Mr. CHRISTIANCY :

Q. You heard threats?—A. Plenty of them.

Q. Give us an idea of the nature of those threats, when they were swearing in the manner you have described when the colored people came up to vote.—A. One of them would say, "There is a republican." Another one would say, "If he votes we will have him in jail; let him vote the republican ticket and we will starve him;" and with curses which I do not repeat—violent curses.

By Mr. CAMERON :

Q. And those statements were made within the hearing of the persons who were advancing to vote?—A. O, yes; there was a large crowd there, and we could hear it in every direction. It seemed to me that it required a pretty courageous colored man to vote the republican ticket there that day. That is the way I looked at it, and yet, at the same time, there was not any open violation of law that I saw.

By Mr. CHRISTIANCY :

Q. Any actual force—is that what you mean?—A. No actual force; I didn't see any of that. I tried to get some republicans to go back and vote who had started home.

By Mr. CAMERON :

Q. State what you know in regard to that. I was going to inquire whether that caused any republicans to leave without voting.—A. It did. I met a party going home, and I stopped them.

Q. What time of the day was that?—A. I should say that it was past eight o'clock in the morning; some of them came back at my re-

quest, and others would not come. I don't know whether they went home or not; they said they were going home.

Q. You can state whether those colored men that you met appeared to be intimidated or frightened; state the facts.—A. They were not frightened at that particular moment, but they thought it was not prudent for them to go to the polls. They were away from the polls when I saw them. I was at the breakfast table next morning at the hotel, and there were about fifteen men, with red shirts, also at the table. As soon as I sat down they commenced. The first remark was, "That damned Yankee son of a bitch." They came over to that end of the table. Another man said, "We will see what sand he has got in his craw to-day." Another said, "Yes, God damn him, we will hang him before he leaves town." Well, these expressions were very pleasant to a man who was trying to eat his breakfast. All such remarks as these were bandied about at the table, and I was alone at the table where there were fifteen of them. I got up and went over to Major Stewart's quarters. He was stationed some little distance away, and he took his hat and came over after he had eaten his breakfast. Major Stewart then said to us, "It will be unpleasant and perhaps not safe for you to be about town to-day, and you had better stay in my quarters." So I staid with him that day, and the next morning he sent us under guard of a detachment of soldiers to the railroad. It is not evidence for me to say that I didn't dare to go to the railroad without a guard, but I certainly didn't. I didn't consider my life safe at all. I was certainly intimidated to that extent. I didn't stir out of the house the day after the election. The town was full of men, and I am told it was full of whisky, and they made threats that they were going to hang one of the negroes who was there and Mr. Owens, who was a leading republican there. I didn't consider it safe to go to the railroad without a guard; the railroad was nine miles off.

By Mr. MERRIMON:

Q. You are a United States commissioner, having your office in Columbia?—A. Yes, sir.

Q. Who sent you down into Barnwell?—A. I went at the request of Governor Chamberlain.

Q. What right had he to request you?—A. He had no right to request me; he requested me to go.

Q. At whose instance did you go?—A. Well, I know that he requested me after consultation with Mr. Corbin, the district attorney.

Q. Did Mr. Corbin send you down there also?—A. Neither of them sent me down there. I was not under the orders of either one.

Q. Well, you went at their suggestion?—A. I went at their suggestion; yes, sir.

Q. You arrested a great many men down there?—A. Well, I arrested a number of persons.

Q. How many?—A. I think I arrested between forty and fifty.

Q. Did you arrest anybody but white men?—A. Yes, sir.

Q. How many negroes did you arrest?—A. I arrested four.

Q. Democratic negroes, or republican negroes?—A. Democratic negroes.

Q. Were the white men that you arrested all democrats?—A. Yes, sir.

Q. You did not arrest any republicans at all?—A. No, sir.

Q. What became of the men that you bound over?—A. I am sure I don't know.

Q. You say you took the recognizances of these men for their appearance at court?—A. Yes, sir.

Q. What court?—A. The United States circuit court at this place.

Q. When?—A. The fourth Monday in November, I think.

Q. Do you know whether they came here according to the tenor of their recognizances?—A. I know that some came here.

Q. What was done with them?—A. That is a matter which the district attorney knows more about than I do. I had no more to do with them after I took their bonds.

Q. You say the white folks there did not apply for process. Did the black folks apply to you to sue out process against the white people?—A. Well, the black folks seemed to be the ones that were suffering and not the white folks.

Q. You got information from one side?—A. Yes, sir.

Q. And not from the other side?—A. Yes, sir.

Q. Did you send out for these black folks?—A. No, sir.

Q. They came voluntarily?—A. Yes, sir.

Q. Did you take a deputy marshal down with you?—A. No, sir; I did not take one with me; one came there a few days after I had been there.

Q. Where was he from?—A. From Charleston.

Q. How did you get jurisdiction to issue a warrant against a man at the place where this meeting was held which you spoke of a while ago?—A. It was a violation of a statute of the United States.

Q. What statute?—A. If I had the General Statutes I think I could refer to it.

Q. State the offense with which he was charged.—A. He was charged with interfering with persons who were engaged in the support of certain electors for President and Vice-President of the United States. I think that was the charge; it was "in support" or "in advocacy," I don't remember the exact words of the statute. [The Revised Statutes of the United States were handed to the witness.] I don't remember the exact statute I arrested him under, but I would arrest him under section 5508, "If two or more citizens conspire," &c.

Q. Was the man drunk?—A. He had been drinking.

Q. Was he drunk?—A. No, sir.

Q. Was he not drinking and just slashing around there generally?—A. No, sir; he was sober enough to realize his condition afterward.

Q. You sobered him?—A. I think very likely.

Q. Did you have any evidence before you of conspiracy?—A. No further than he came with a body of men, and came in company with them to the speaker's stand. There was no examination gone into; the warrant was issued and he was finally discharged on the promise of his friends for his good behavior.

Q. You didn't try him?—A. No, sir.

Q. You had no evidence before you at all when you issued the warrant?—A. I think there was.

Q. What do you say about that?—A. I say that the warrant issued upon the affidavit of a citizen of the county, that he had violated the laws of the United States.

Q. You did not make the charge that broad, did you?—A. I don't remember the exact language of the charge, but that was the substance of the charge.

Q. Who made the affidavit?—A. Mr. George Osgood.

Q. How did you happen to go up to Laurens to attend the election?—A. I was requested by a certain gentleman in this town.

Q. Who was he?—A. Capt. T. C. Dunn was one.

Q. Who is he?—A. He is comptroller-general.

Q. Who else requested you to go?—A. Governor Chamberlain.

Q. What office did you exercise up there—United States commissioner?—A. Yes, sir.

Q. Was there no United States commissioner up in that section of the State?—A. Not to my knowledge.

Q. How far is it from Columbia up there?—A. I should say it is about eighty miles. I don't know exactly.

Q. Did you intimidate anybody up there that day?—A. I don't think I did. I don't know.

Q. Do you think you intimidated that trial-justice?—A. Well, I think I stopped him from issuing any more warrants in the way he was doing. You can call that intimidation if you want to.

Q. Were you not sent up there to let the people understand that you were the United States commissioner and that you came up there to exercise your office on the day of election?—A. I don't know whether I was or not.

Q. Was it not the object to brandish your office in the face of the people on the day of the election and alarm them?—A. No, sir; I was sent there to preserve the peace. It was expected that there would be violence in Laurens County, and it was necessary that a United States commissioner should be there to preserve the peace. Those were the requests made to me by those gentlemen who sent me, that I should go there in the interests of peace; that all we wanted was a peaceful and quiet election. I was there in the interests of such an election; and if I saw any disturbance, I was going to try to arrest the parties who created it, in order that the peace might be preserved.

Q. Was it your business to arrest them?—A. It was my business to issue warrants.

Q. It was your business to sit in your office until somebody applied for a warrant, was it not?—A. I have never read any instructions to United States commissioners, and can't answer that.

Q. Was there any code in this State which authorized a judge to go out and hunt up cases to be brought before him, and the witnesses for those cases?—A. I was not hunting up witnesses particularly.

Q. You have told us that you were around the ballot-box?—A. Yes, sir.

Q. And you went to see the trial-justice, and questioned his authority?—A. I didn't question it. He asked me a question, and I answered it. I told him I thought if he had any more men arrested on such charges as that he would find himself in a United States court.

Q. He had at that time discharged his office and made his ruling and decision?—A. He had made a decision.

Q. He had gone through the form of making a decision, and bound the defendant over, and you told him that if he made any more decisions like that, you thought he would find himself in the custody of the United States?—A. I told him if he bound over men upon such pretexts as that, I thought he would find himself in a United States court.

Q. Did you have any right to tell him that?—A. Yes, sir.

Q. Had you any authority to do so?—A. No, sir; no official authority at all; but I have got the same right that I have to tell any citizen what I think of his conduct.

Q. Do you think that that was not calculated to intimidate him?—A. I don't know whether it was calculated to intimidate him or not. It

was not told him to intimidate him ; it was told him to lead him to do his duty, and nothing else.

Q. You had a deputy marshal there ?—A. Yes, sir.

Q. The Army was there ?—A. The Army was there, of course.

By Mr. CAMERON :

Q. The red-shirts were all there ?—A. Yes, sir ; the red-shirts were there, too.

By Mr. MERRIMON :

Q. Were the negroes there ?—A. Yes, sir.

Q. Did any of them vote there that day ?—A. Yes, sir.

Q. Were any negroes there the night before ?—A. I didn't see any. I understood there were.

Q. Was there not a crowd of negroes there the night before, and do you not know it of your own knowledge ?—A. I heard that there was a crowd of negroes there, but I do not know it of my own knowledge. I heard that they were in the court-house, but I didn't see them. I didn't go there.

Q. You thought it was a very striking fact, showing intimidation, that there should be a crowd around the ballot-box early in the morning ?—A. I know it was a striking fact, and caused intimidation.

Q. You had never seen that before anywhere, had you ?—A. Yes, sir ; but I had never seen any such crowd as this around the ballot-box, and I hope I never shall again.

Q. Is it not usual for everybody to go up to the ballot-box that is anxious to vote ?—A. Yes, sir ; it is very usual.

By Mr. CHRISTIANCY :

Q. Is it usual for armed men to go around that way making threatening demonstrations ?—A. No, sir ; I never saw it before an election.

JAMES G. THOMPSON—RICHLAND COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

JAMES G. THOMPSON sworn and examined.

By Mr. CAMERON :

Question. Where do you reside ?—Answer. In Columbia, S. C.

Q. How long have you resided here ?—A. I have resided here since 1873.

Q. What is your occupation ?—A. I am editing a newspaper, and have been ever since I have been here, except for a short time.

Q. Did you attend a political meeting at Edgefield during the last political campaign ?—A. I attended it as a United States commissioner.

Q. At what time was that meeting held ?—A. It was on Saturday, I think, the 14th of October. It was the first meeting that was announced by the executive committee for the republicans after the nomination.

Q. You may state what, if anything, you saw at that meeting in the way of an apparently organized and armed body of white men. If there were any there, state the number.

The WITNESS. Shall I make my statement in a kind of narrative ?

Mr. CAMERON. Yes, sir.

Mr. MERRIMON. State what you saw and know.

Mr. CAMERON. State what came under your own observation.

The WITNESS. I went there, as I said before, as a United States commissioner. There were six or seven marshals attended with me. In approaching town, which is eight miles from the railroad, I saw large numbers of men on horseback, uniformed in red shirts, and most of them carrying pistols that were strapped to their waists. These men were assembling gradually until the town was very thoroughly filled with them. It is a small town. I attended for a few moments a meeting in the public square—went up and looked at it. It was addressed by General Butler for a few moments only, when I was there.

During his speech he said that it had been determined not to attend the republican meeting and ask for a division of time, as had been contemplated. I only staid there a moment, and then went up to the republican meeting which was held in a grove about a quarter of a mile from the town. I there took a position on the porch of a dilapidated school-house to observe what was going on. The meeting was organized and had probably been in progress an hour, or an hour and a half, when General Butler rode up and asked permission to bring his men around to the meeting and give it a cheer, as he said. He did not address his conversation to me; he spoke to Colonel Lowe, who was United States commissioner. Colonel Lowe told him that he must use his own discretion about it, and that he could not give him any information. General Butler said that his men wanted to come, and that he meant to bring them anyhow. In a moment or two afterward I observed his men coming down a hill toward the meeting. They were all in uniform and rode four abreast; and they went down the hill and across the branch and came up where the meeting was and passed completely around the meeting, leaving a considerable space between the meeting and the horsemen, which would vary probably from ten to fifteen feet.

Q. Did you observe whether they were armed or not?—A. Well, nearly all of them were; I didn't look at every man, of course, but the great majority of them were armed, some with not more than one pistol, and some had two.

Q. Were those pistols strapped around them so that they were observable?—A. Yes, sir; generally. There might have been a great many there that did not have them strapped around them, and there might have been some without any pistols, but the great majority, I should say, were armed.

Q. At what number would you estimate these horsemen?—A. Myself and Colonel Lowe, after they went away, made an estimate of them by the ground they had occupied while stationary. They halted for ten or fifteen minutes at one point after they encircled the meeting, and the head of the column went back the same road they had come, so that they passed completely around the meeting, and when they reached the other end of the column they halted and remained stationary for probably ten or fifteen minutes. We made an estimate of the number of feet a horse would take up—and there were four abreast—and from these data we made a guess at the distance occupied, and concluded that there were about sixteen hundred. In making that estimate I gave about 15 or 16 feet to a horse, and I made an estimate that there were about that many. There was an Army officer out there afterward, also; he made an estimate, which was about the same.

Q. Under whose command did those men appear to be?—A. They appeared to be under the command of General M. C. Butler. He stationed himself somewhat as a colonel or general would to review troops, and he had a number of aides with him. I heard him give one order, which was for the column to move on; and he sent an orderly out to the head

of the column, with his compliments to somebody, for the head of the column to move on.

Q. Did they appear to be under a state of discipline?—A. Yes, sir. There were one or two men that fell out from the ranks, but General Butler sent and ordered them all into the ranks again. One or two seemed to be unruly and rode out toward the meeting; and one of them got into an altercation with a colored man and was ordered back. They all seemed to be under excellent control.

Q. Did you attend any other meeting during the campaign?—A. Yes, sir; the following Wednesday after that I went to Abbeville. I arrived there the day before the meeting took place. I had to go up the day before, and there we were informed by a committee of the democrats and of the republicans that they had an agreement by which they would hold two meetings. It had been anticipated by the democrats that they would do as they had been doing during the campaign before—come to the republican meeting and have joint discussions, and it had been decided by the republicans not to do so any longer; and there they had decided, although both parties were present in town, not to have the meeting together, but that each party should hold the meeting at a different place. After the democratic meeting met there was a parade of the mounted men—a very large parade. They were all uniformed in red shirts; the display of arms there was not nearly so great as it was at Edgefield, but the numbers were about the same; I should think probably more. I hadn't a good opportunity to estimate the numbers as I could not see them all at once, but as they went riding by two and two, they occupied, I thought, about two miles.

Q. Did you observe under whose command they appeared to be at Edgefield?—A. I do not know who commanded them. I don't think I learned at all who it was. General McGowan was there, but I don't think he was in command; and Colonel Cothran was there also, but I don't know who commanded them.

Q. Under what discipline did they appear to be?—A. They seemed to be in as good a state of discipline as a cavalry regiment would be. I think the next Saturday after that I attended a meeting at Newberry. There were a large number of white men, estimated at 1,000 or 1,200, who were uniformed with red shirts and all mounted; they attended the republican meeting, and broke it up,

Q. State the facts in regard to that meeting.—A. That was held at the court-house, right in the center of the town—rather a contracted place to hold a meeting—and the cavalry took possession of the front of the court-house with their horses, and the steps in front of the court-house were to be the stand from which the speakers were to address the meeting. They succeeded in taking possession with their horsemen of the front of the building and one side of it, and that forced all the republicans around to the back end of the building, so that they could not hear what was going on. The cheering for Hampton and Tilden and so on prevented the republican speakers from being heard at all, and they had to abandon the meeting and give it up for that day.

Q. Was that meeting called exclusively as a republican meeting?—A. Yes, sir; I saw the hand-bills that were posted all around town, and it was published in the newspapers that it was to be a republican meeting. The committee then appointed another meeting for Abbeville and I attended that also. At that second meeting there was no demonstration at all. Everything was entirely quiet, and the republicans had their meeting by themselves, and there was no display of arms at all. It was a perfectly quiet meeting.

Q. Did you attend any other meeting?—A. No, sir; those are the only three meetings I attended during the campaign.

By Mr. MERRIMON:

Q. You did not mention what paper you were editor of?—A. I am now, and have been since I have been in Columbia, the editor of the Union-Herald.

Q. State whether at any time you ceased to be for an interval the editor of that paper?—A. Yes, sir; I think for about three weeks I ceased to be the editor of the paper.

Q. What time was that?—A. It was the latter part of September.

Q. Was there any special reason for that?—A. Yes, sir; there was. Do you want me to state?

Mr. MERRIMON. Yes.

The WITNESS. I did not wish to support one of the candidates on the republican ticket.

Q. Who was he?—A. Mr. Elliott, candidate for attorney-general.

Q. But afterward you became the editor and did support him?—A. I did not become the editor again until after the election. I wrote for the paper considerable, but I was not the editor of it.

Q. State whether you at any time had any connection with the Freedmen's Bank at Beaufort?—A. I never had any connection with it.

Q. Did you have any business with it?—A. Yes, sir.

Q. What business did you have with it?—A. I borrowed money from it.

Q. How much?—A. Well, I don't know; I borrowed at different times a good many thousands of dollars.

Q. Give us an idea of the amount?—A. I can hardly tell; first and last, as depositor and borrower from it, I had a great many transactions with it, probably involving forty or fifty thousand dollars.

Q. Did you pay up your indebtedness to that bank?—A. No, sir; I owe the bank some money now.

Q. How much?—A. Well, I should think my present indebtedness to the bank may be five or six hundred dollars. It is now in process of settlement. The only question about it is in regard to the amount of interest, I believe.

Q. Was there any disturbance about the debt that you owed from time to time?—A. No, sir; not that I know of, except that in 1872, just before the bank failed, I borrowed some money from it and gave certain State paper as collateral security for the money. I borrowed \$2,900 from it in 1872, and I gave the cashier of the bank about \$10,000 of State securities as collateral.

Q. What sort of securities were they?—A. They were bills against the State for various purposes; among the rest were bills of my own against the State for printing, stationery, and books that I had furnished to the State. Those bills, on account of the bad credit of the State and the failure of the State to pay, became comparatively worthless for a long time, and I was unable to pay what I owed the bank; but since that time the bank has been nearly paid up.

Q. They kicked up a dust about it because you could not pay your debt; was that it?—A. There was no dust kicked up about it.

Q. Was there any trouble about it in any way?—A. Nothing, except what the democrats made here in Columbia. A statement of the indebtedness to the bank was published, and my name was published as one of the debtors. The only feeling that there was kicked up about it was that while I was a debtor to the bank I became satisfied that the bank

was going to break, (I was then editing a paper in Beaufort,) and I thought the depositors would lose their money. Most of them were very poor people and were patrons of my paper, and I advised them not to deposit in the bank. Mr. Sperry, who was agent of the bank, came down there and made a speech, in which he assured the people that the United States Government was responsible for all the deposits in that bank, and I denounced that as not true; and I could probably have settled up my accounts against the bank had it not been for the hard feeling which Mr. Sperry became possessed of in consequence of my course in regard to that matter. It has been a serious loss to me, however.

Q. Are you very unfriendly to the democrats here in this State?—A. Not very.

Q. Are you the correspondent of the New York Times in this State?—A. I correspond with it now.

Q. Recently a letter appeared in that newspaper about General Hampton?—A. Yes, sir.

Q. Are you the author of that letter?—A. No, sir; I never saw that until I saw it in the paper. I am not the regular correspondent of the Times. I only write to that as a matter of business, as I do occasionally for the New York Tribune, Cincinnati Commercial, and the Chicago Tribune. I correspond with all of them just as a matter of business.

Q. You said to us a while ago that you went to Edgefield as United States commissioner; do you hold that office now?—A. Yes, sir.

Q. What other offices have you held?—A. I never held any other office here.

Q. Have you held another office in this State?—A. No, sir; I was a member of the first constitutional convention that was held in this State in 1865, under Governor Perry.

Q. Why did you go to Edgefield as commissioner?—A. I went there as a commissioner to enforce—

Q. They do not have to take United States commissioners along to republican meetings, do they?—A. It was thought that it would have a soothing effect for one to go, and it did have.

Q. They took you along as a sort of persuader?—A. That is it.

Q. You did not go there to intimidate the people by brandishing your office in their faces?—A. No, sir.

Q. How many deputy marshals did you take?—A. Five or six.

Q. They took a commissioner and five or six marshals to attend that republican meeting?—A. Yes, sir.

Q. They did not do you any violence that day?—A. No, sir.

Q. Was there no marshal there in that section of the country?—A. I don't know that there was.

Q. Give us the names of those marshals that went there.—A. One of them was Colonel Lowe. I didn't have anything to do with the marshals, in selecting them, or anything of that kind. One of them was Captain Ladd; Pat Kirkland was another, and there were three others, I think.

Q. At whose suggestion did you go there?—A. I went there at the suggestion of the United States commissioner, Mr. Wallace.

Q. Did Mr. Wallace go there himself?—A. No, sir; he didn't go.

Q. He sent all these deputies?—A. Yes, sir.

Q. Do you not think the whole of you were about equal to a wagon-load of guns and pistols?—A. I don't know.

Q. Was it common to take deputy marshals and commissioners around to these republican meetings?—A. It was not done except in those three cases, I believe.

Q. What cases were those?—A. The ones that I have mentioned—Newberry, Edgefield, and Abbeville. Those all occurred the first week that the campaign opened, and it was done as a measure of protection, I think.

Q. Did you arrest anybody?—A. No, sir; no one was arrested during the whole time.

Q. And yet the whole crowd of republicans were intimidated by these desperadoes with their pistols?—A. I didn't say that they were intimidated. I think if the deputy marshals and troops had not been there—though that is a question—they would have been intimidated; but, as it was, you see there were a number of other parties intimidated.

Q. Those fellows had rather a wholesome fear of United States commissioners and marshals, had they not?—A. Well, they seemed to have.

Q. The intimidation was on the other shoulder that time?—A. It seemed so, but they didn't seem to mind it much; they were all in tolerably good spirits.

JOHN A. LYLES, CHESTER COUNTY.

COLUMBIA, S. C., *January 6, 1877.*

JOHN A. LYLES (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Chester.

Q. What is your age?—A. I am going on twenty-five years old.

Q. How long have you lived in Chester?—A. I have been living there rising six years, more or less.

Q. Where were you on the day of the last election?—A. In Chester.

Q. Are you a republican?—A. Yes, sir.

Q. Did you vote the republican ticket that day?—A. Yes, sir.

Q. You may state whether or not any democrats told you that unless you voted the democratic ticket they would not furnish you any employment.—A. Yes, sir; I was told that.

Q. Now tell this committee just what was said to you, and by whom it was said.—A. Well, the business I have followed was shoemaking, and most of the citizens around town there said—that was their word—that if we didn't vote with them they would not give us any work, and that was the cry on up until after the election had passed over. My father rented a house from Mr. Massey, a kind of a building that had a shoe-shop in it, but I didn't live in the house. I told my father if he would rather not have me work in his house I would not do so, as I carried tickets around to issue out on the day of the election.

Q. You may state whether or not you have been denied work since the election because you voted the radical ticket.—A. Yes, sir, I have been denied work.

Q. Had any white man told you that they would not furnish employment to people who voted the republican ticket?—A. Yes, sir; white men told me that if I voted that way I could not get any more work.

Q. Do you know whether or not the democrats cheated some of the colored men into voting the democratic ticket by imposing tickets upon them that they did not want?—A. Yes, sir.

Mr. MERRIMON. State what you know of your own knowledge.

The WITNESS. The tickets was red tickets, and both of the tickets had on the top some reading, and the men could not tell the difference

without they read them; and several of the men, after they had voted, asked me about it. Certain colored men was handling the red tickets, and they said they got the tickets from them. I told them that they were democratic tickets, and they said they had been told that they were republican tickets, and they all used them in that way.

Q. How long since you left home?—A. I left last week.

By Mr. MERRIMON:

Q. They intimidated you so much that you voted the republican ticket?—A. No, sir, they didn't intimidate me. I thought that was right, and I done it. If they didn't want to give me any work they could let it alone.

Q. You didn't care whether they gave you any work or not, did you?—A. Yes, sir; that is what I have been living on ever since I was free.

Q. They had a right to give you work or not, as they pleased?—A. I thought every free man had a right to do that.

Q. You had a right to vote as you pleased?—A. Yes, sir.

Q. And they had a right to vote as they pleased?—A. Yes, sir.

Q. What did you come down here for?—A. To tell what I knew; that there was a lot of them kept from the polls on account of fear of losing their places; the white men on whose places they lived told them that if they voted the republican ticket they would not support them.

Q. Why did you not let these colored people come down and report themselves? Who told you to come down?—A. No one at all. I was down here, and I knowed it was hard for these men to keep themselves and their families, because I wasn't hardly able to keep mine by all my labor.

Q. Have you ever been arrested?—A. I was arrested in Chester for intimidation.

Q. For intimidation of black men?—A. Yes, sir; that is what they tried to prove on me.

Q. What else did they charge against you?—A. Nothing else, only they told me that I had been voting against them long enough, and that if I didn't go with them they would not give me no employment.

Q. Then you came down to testify. How did you happen to know that this committee was here?—A. I seen the committee here and I knew they were here.

Q. How did you know it?—A. I think I saw them when they came here, if I am not mistaken.

Q. How did you know the committee was here?—A. I heard people say that the committee was here; I disremember who, but that was the report, that the committee was here to find out how the votes and things went on.

Q. Who was it told you that?—A. I disremember now who it was.

Q. Can't you remember somebody?—A. No, sir; I can't remember certain who it was, but I heard it, though.

Q. When were you summoned to come up here and testify before this committee?—A. I had notice to appear here last week, I believe, about the middle of the week.

Q. Why haven't you come up here before now?—A. I came when they called upon me, sir.

Q. You say you were not intimidated?—A. No, sir, I wasn't. They didn't scare me to not vote the republican ticket, I was told that if I voted the republican ticket I had nary chance.

Q. You took your chance, did you not?—A. Yes, sir.

Q. And did you not allow other folks to take their chances?—A. I suppose so, sir.

Q. You have come down here to tell the committee what you know about that?—A. I came to tell what I have seen, of my own knowledge.

Q. You voted the republican ticket?—A. Yes, sir.

HENRY SPARNICK—AIKEN COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

HENRY SPARNICK sworn and examined.

By Mr. CHRISTIANCY :

Question. Where do you reside?—Answer. I have resided in Aiken for the last four years.

Q. Were you there during the last summer?—A. I have not been in Aiken but one or two days since about the first of August.

Q. Were you living in that county during the month of July, and prior to that time?—A. I was ; and prior to that time continuously.

Q. Are you a native of that county?—A. I am a native of Charleston.

Q. Did you hold any office there during the last summer you were there?—A. I did, sir ; I was probate judge of the county.

Q. Were you present in Hamburg on the 8th of July last?—A. I was, sir ; all day, from eleven in the forenoon until nearly six o'clock in the evening.

Q. Were you cognizant of any difficulty existing there between the white people and the colored people, or between Butler and any portion of the colored people there during the day?—A. I was, sir.

Q. Please go on and give a statement of what you saw, and what was said by parties at the time.—A. I was in Hamburg, first on the 6th of July, two days preceding the 8th, to attend to some matters that were purely personal to myself, and while there I understood that a trial was going on in the office of one of the justices, Judge Prince Rivers. I was attracted there from curiosity ; I saw that there was a great crowd there, and I stepped in for a few moments, and upon my arrival there I was solicited by Attaway to represent him and the other officers of the militia company there in a prosecution that was being conducted against them by Robert G. Butler, on behalf of one of his sons and his son-in-law, a man named Getzen.

I consented to do so, professionally, and inquired into the nature of the prosecution. It was on a precept issued by Rivers against the officers of this company for obstructing the public highway in Hamburg on the 4th day of July. I examined the paper and found it was very defective ; it was not a legal paper ; it was not even a summons.

Robert Butler, Henry Getzen, and a Rev. Mr. Mealing, and one or two others whom I don't know—indeed I didn't know the names of these gentlemen until afterward—were there. As soon as the case was called by Rivers it was announced to him by Attaway that I would appear for these men. Mr. Butler showed a great deal of indignation—

Q. A great deal of indignation?—A. A great deal of indignation ; said that he was not advised that there were to be attorneys there, and that he had none himself, and asked for a postponement of the case

Upon that I suggested to Attaway that inasmuch as the paper was very informal, and as there appeared to be a good deal of feeling on the part of Mr. Butler and the other gentlemen who were there, I would withdraw from the case and then let Rivers take judgment if he wanted to, and that I could appeal the case for him afterward to the supreme court.

I did that, sir, because I saw there was so much feeling there that it might amount to a difficulty, as I thought, amongst these people; and I thought that the easiest way to get out of it was to submit to a judgment without employing any counsel at all. At that Attaway announced that I formally withdrew from the case.

Witnesses were then brought up; the first one being Mr. Getzen. He gave his testimony, and Rivers allowed Dock Adams, the captain of this militia company, to cross-examine Mr. Getzen; and in the course of that Rivers adjourned the case until the following Saturday. I thought from the appearance of these gentlemen that they had become very much incensed at that alleged infraction of law on the part of the officers, and when I returned home to Aiken I conferred with one of my friends there who had been residing at Hamburg for some time, and who had a good deal of influence there, and I told him that I apprehended that on the following Saturday some difficulty might grow out of the case. I asked him if he could not go and be present there. I thought that he by his presence there might act as a sort of peace-maker. He told me that he had other engagements, but would be glad to go otherwise; and then I said that I would sacrifice my own engagements and go and attend this trial, and if any difficulty did occur, endeavor to use my influence to prevent it.

On the following Saturday I went to Hamburg; but first, having some business in Augusta, I went there at nine o'clock in the morning. Whilst in Augusta I met Mr. Butler.

Q. Which Butler?—A. Mr. Robert G. Butler. He was in a buggy and I was passing on the curb, and he called me to him and commenced talking to me about this prosecution that took place on the previous Thursday. I told him that I thought there was nothing in the case; that so far as the facts in the case had been developed by the testimony of Mr. Getzen there was really no legal case against these men; and that to push it further would be merely to excite feeling between the two peoples at a time when I thought it was necessary to have as much peace as possible, at the beginning of the campaign; that there had been already more or less feeling engendered about that between the whites and the blacks, and I asked him to abandon the prosecution; that even if he did get a judgment, that it was a matter of appeal, and if it went up to a higher court it would not stand there a minute.

He said he would do no such thing; that the negroes at Hamburg had been very offensive; that they had interfered with his son and son-in-law on the 4th July, and that he was determined that they should be punished; that the case should be prosecuted, and so far as any bad feeling was concerned he didn't care for that; that some of his friends and neighbors from the country had been informed that the trial was to take place that evening, and that they would be there present. He said there would be twenty-five or thirty, or something of that kind.

I said to him, "Mr. Butler, perhaps there will be two or three hundred." He said, "Well, yes, damn it, two or three thousand." He seemed to be very much inflamed about it, and from his general talk and demeanor I apprehended trouble.

As soon as I left him I went to Hamburg, and I got there about eleven

o'clock. I consulted with Mr. Samuel Spencer, a colored man there of property and influence—a man in whose character I had a great deal of confidence, who has always appeared to be, in my transactions with him, a man of coolness and quiet determination. I advised him confidentially of what had transpired between Robert Butler and myself in the course of that conversation. I asked him then to go to the officers of this company and ask them, if the case was called at the hour appointed that afternoon, to attend at Rivers's court and to submit to judgment, whatever it might be; that in case he did inflict a judgment upon them, I knew, from the nature of the precept or informal paper, that that judgment would fail; that there would be no punishment, and that would be the easiest way out of the difficulty; that in case they didn't do so I was afraid there was going to be a crowd there that afternoon, and some trouble might arise between the whites and the blacks.

He promised me that he would do so, and I went off to a school meeting and remained until about three o'clock, or half past three probably, when the meeting adjourned, and I came out of the meeting with this man Spencer; and as we came out there rode into town Gen. M. C. Butler in a buggy, and he had an interview with Robert Butler, who also came in in a buggy, followed by this man Henry Getzen on horseback, with a Winchester rifle across the bow of his saddle. I remarked to Spencer at the time, "This looks to me like trouble was going to begin."

We saw men coming into town; it was strange to see men come riding into town in that sort of way simply to attend a trial of a cause; and said I, "Now you go up and see those officers, and tell them what I told you this morning; tell them to go right up to the court and stand judgment;" and a few minutes afterward this Henry Getzen rode up and told me that General Butler desired to see me; and I went to the place at which he said General Butler was waiting for me, and there I found General Butler and Robert Butler, and a moment or two afterward this man Getzen came in.

General Butler said, "I am here to represent my cousin"—I think he called him cousin—"Mr. Robert Butler, in this matter, and I wish you to sit down and tell me what it is." I told him exactly the nature of the case as it presented itself to me, and what advice I had given to these people about submitting to judgment. Mr. Robert Butler then spoke and said that they had been annoyed a great deal by the negroes about there, and they wanted to get satisfaction, and that General Butler had been brought there as their attorney to see that satisfaction was obtained.

General Butler asked me if I would not go to see the officers of this company and request them to call upon him at that place; that he desired to have a conversation with them; he desired to tell them what he thought it was necessary for them to do in order to prevent the possibility of difficulty in the future; that a great deal of feeling had been growing between Mr. Robert Butler's family and his immediate neighbors and these colored men in Hamburg. I then said to him, "What will be your proposition; what proposition do you make?" He said, "Well, I think it would be necessary for them to apologize to my cousin and surrender their arms."

Q. Did he say to whom surrender their arms?—A. No, I don't think he did. I said, "Well, general you know that I am, like yourself, just merely an incident in Hamburg, because it is not a place that I have been in the habit of frequenting, and whilst I have a certain amount of influence, of course, with the colored people on account of my political affiliations with them, I cannot undertake to say that they will respond to your

request. I will do what I can to induce them to do so." I said further, "Suppose these negotiations or these propositions fail, will it be likely that there will be a collision?" He said he thought there would. I remarked to him rather jestingly, "Well, as I am one of a few white radicals here, if a collision takes place I suppose I will stand a pretty poor chance?" He said to me, "I have no doubt that you will."

By Mr. MERRIMON :

Q. Who said that to you ?—A. General Butler. I went off; I told him I would go and see these men, and left him for that purpose. On my way to meet them, to see them, I met Mr. Spencer, the same person to whom I have already referred. He told me that he had been commissioned by them to go down and see General Butler, and see what he desired to have done. He asked me if I would not go into Rivers's house, which is separate from his office, and await his return. I told him, yes, that would be very satisfactory to me; and I told him what General Butler has said to me; and I went up to Rivers's. At Rivers's house the officers of this company came. There we got into conversation in reference to the matter; and in the mean while crowds of armed men commenced coming into town in squads, and things began to look very threatening.

I waited at Rivers's office until Spencer returned. All the officers of this militia company were present, and Rivers and two or three of the more prominent colored men of the place. Spencer returned and stated, as the substance of what General Butler had said to him, that the general desired these men to go down and see him at this place where he was staying at the grocery-store.

We canvassed the matter, and we urged them to do it; that is, Spencer, Rivers, and myself united in urging these men to go down there and see General Butler.

They were willing to do it, with the exception of Attaway. Attaway objected, because he said he was afraid of his life. He was afraid to go there because the men that were coming into town armed were assembled at that place and were stationed outside—

By Mr. CHRISTIANCY :

Q. At the place where the proposed meeting was to be held?—A. Yes, sir. It was at the store of a man by the name of Damm, a German there—a grocer. They were assembled there in very large parties, some on horseback and some on foot, and all of them, so far as I could observe, were very well armed.

Attaway protested that his life would be unsafe if he went down there; that it was simply a decoy to get the officers down there and then to sacrifice them.

I said to him that I had a great deal of confidence in General Butler; I had known him quite a number of years; and that I thought they could rest very safely upon his assurances and upon his protection. I urged them earnestly to go. They declined; that is, Attaway declined, and they sent somebody else to see him again.

Q. To see Butler?—A. To see Butler. I don't recollect at this time who it was; I know that some one went down there to have a talk with Butler. There was another delay, and in the mean while Butler went up to Rivers's office, two or three blocks away from where we were seated, and in a few moments afterward sent Getzen down to Rivers's to request Rivers to come up. We came down-stairs, and I saw Getzen, and he communicated the message to me, and I begged Rivers to go there.

Q. To his office?—A. To his office; and to go alone, in order to let these men see who had followed Butler there that he had confidence, and that he was not afraid of a difficulty. He agreed with me in that view and went, so far as I know, alone; he started alone. Spencer and myself followed at some distance to see whether there would be any disturbance or not.

In the mean while the colored people were becoming very much excited, and were gathering in the streets. I went among them and told them all to go in their houses, and not to stand on the streets; that their presence there might aggravate the situation of affairs and might produce a worse feeling than if there were none of them within sight; to leave this whole matter to be adjusted by Rivers and General Butler, if it could be adjusted. Rivers had gone but a few moments before I saw General Butler and his followers returning to the place where the conference had originally occurred between himself and me.

By Mr. CAMERON:

Q. Right there in your statement, tell us about how many armed white men were on the streets at that time?—A. So far as I could see there were not more than forty or fifty at that time. It had got to be, I presume, five o'clock in the evening; but they were coming in constantly in little groups.

After General Butler had returned to this original place, I understood that he sent another message to these men to come and see him. About the same thing occurred again; that is, Attaway declined to go upon the same ground, and the others then agreeing that it was unsafe to go; that if it were possible to interview General Butler without the presence of these men that they would willingly consent to go; but these men following him from one place to the other created the belief on their minds, as they stated to me, that it was simply a decoy to get them down there.

Mr. CHRISTIANCY. I will ask you if it created that impression on your mind?

The WITNESS. What was stated?

Mr. CHRISTIANCY. Yes, sir.—A. No, sir; it did not. I had confidence in General Butler. I believed if he said to them that their lives would be safe, that they would be safe, and I so advised them at that time. But they declined; persisted in declining.

I returned upon the street where the armory and General Butler's headquarters, as I call them, were both located, within four blocks, and perhaps less. It was then about half past five. I remained there and exerted my influence among the people to keep them out of the streets, and also to prevent any of the colored men from appearing on the streets with weapons. I saw but one of them with a gun, and he put his weapon up immediately. There was another, that was represented to me to be a town marshal, who had habitually carried weapons, and of course I could not send him off the street. There was a great deal of agitation among the colored people.

Q. Were they alarmed?—A. Yes, sir; very much alarmed. These negotiations, about which I cannot speak personally, because I was not present, continued in this way until about half past five, when I saw General Butler go across the bridge to Augusta, in company with Harrison Butler; and I then spoke to Rivers and to Spencer, and told them what my impression of his leaving there was. I do not know whether you want that or not.

Q. You can state what you said to them was your impression.

Mr. MERRIMON. He cannot state his conjectures.

A. Well, about the reason of their going away. I went to Rivers or Spencer and told him that I saw it was impossible to avoid a difficulty; that if they desired me to remain with them, I would do so; but that I felt, from the remark that General Butler had made to me, that if a difficulty came I would be sacrificed, inasmuch as I was the only white republican there; that I could lend them no possible assistance I thought; that in that view it would be better perhaps for me to go over to Augusta and ascertain if possible the result of General Butler's visit there, and the object of it. They agreed with me, and urged me to leave. I did leave; I crossed the river to Augusta. In crossing I saw some armed men on horseback take what I supposed to be picket-posts.

By Mr. CHRISTIANCY :

Q. Where?—A. In the town of Hamburg. I went over to Augusta—

By Mr. MERRIMON :

Q. Describe these men now; where they were stationed, and what they were doing.—A. They were simply taking station. I can say nothing more than that. I have seen a good deal of that sort of thing.

Q. You can indicate the points?

Mr. CHRISTIANCY, [to Mr. Merrimon.] You can get at that in your cross-examination.

Mr. CAMERON, [to the witness.] Go on with your statement.

By Mr. CHRISTIANCY :

Q. While you are there, state how many white men had accumulated in Hamburg, as far as you saw.—A. As far as I saw, I presume there were seventy or eighty. That was about fifteen minutes to six o'clock. The last train that left for Aiken that evening left at six o'clock. I went over to Augusta and then lost sight of General Butler, inasmuch as he was riding and had the start of me, and I was walking. Between that time and the starting of the train I took what observation I could to see if I could find him. Finding that I could not find him, and believing that my return to Hamburg would result in just what I have already indicated in case of a difficulty, and apprehending that it would not be very pleasant to stay in Augusta in an event of that kind, I took the train and returned home.

Upon my return home I went to the same gentleman that I had consulted before, and stated to him about what I thought the case was; and I heard nothing more of it until two o'clock that night, when some of the refugees from Hamburg came to Aiken and told us what had happened up to the time that they had left.

Q. You crossed the bridge and went over into Augusta?—A. I did.

Q. Did you at that time hear any talk as to any of the parties going over armed from Georgia?—A. I didn't, sir; because there was a difference of ten minutes, at the outside, from the arrival of General Butler to my arrival in Augusta.

Q. Well, what was the outlook at the time that you finally left and took the train; did you see the party after the time you have spoken of?—A. I had to see some of them in passing through Hamburg; but very little, because where the excitement naturally lay was upon a street parallel and distant a block or two from the railroad, and what I could see was simply in a direct line down the bank of the river.

Q. Well, what was apparent there?—A. Nothing could be seen, sir, scarcely; there seemed to be perfect quiet on that side.

Q. You left before there was any firing?—A. Before there was any firing; I left at six o'clock.

CROSS EXAMINATION.

By Mr. MERRIMON :

Q. What did you go there for on that day ?

The WITNESS. On Saturday ?

Mr. MERRIMON. Yes, sir.

A. I went there because I apprehended a disturbance, and I went there for the purpose of advising the colored people in such a way as to prevent a conflict.

Q. Did you sustain any particular relations to them that warranted you in being their adviser on that occasion ?—A. I sustained simply this relation, that I was probably the most influential republican in the county of Aiken, and that I had to a great extent control of the colored people there, and had very kindly support from them ; and they had a good deal of confidence in me. They had always acted under my advice.

Q. It seems that they did not act under your advice that day ?—A. In what way, sir ?

Q. They put themselves in that drill-room, and organized themselves into a fortress there, at last.

Mr. CHRISTIANCY. He don't know anything about that.

Mr. MERRIMON. He says he saw them going in that direction.

The WITNESS. I saw them going there ; yes, sir.

Q. You told them not to have anything to do with arms, and to remain in their houses ?—A. I might control their convictions, but not their fears, sir.

Q. But they didn't go into their houses, as you advised ?—A. They went off the street, sir.

Q. You say as you went over to Augusta you saw persons on their horses moving about as though they were stationing themselves at particular points ?—A. Yes, sir.

Q. Now describe to the committee where they were stationed, the localities, and who composed these squads, as far as you knew them.—A. O, I didn't know any of them.

Q. You didn't know any of them ?—A. I didn't know any of them ; none of the men that I saw going out there. There were a great many men there on that day who were strangers to me. There are a great many men in the county of Aiken that I have never seen in my life.

Q. Where were these squads ?—A. Those that I saw were going out—appeared to be taking position—if you were acquainted with the geography of the country—above the railroad—

By Mr. CHRISTIANCY :

Q. Above which railroad ?—A. Above the South Carolina Railroad, at the further extremity of it. There are two railroads, the Charlotte and Columbia and the South Carolina Railroad. These men were going up the dirt road that runs parallel with the river, and appearing to take station above the railroad on the outer edge of the town of Hamburg. That was the impression created upon my mind. I don't know where they were going ; they might have been going to Augusta.

Q. Where they were going you don't know ; you just got that impression ?—A. I do not ; I took that impression.

Q. Do you know anything about the localities—streets, and so forth—in Hamburg ?—A. I do, sir ; the main streets ; I am not familiar with all the streets of the town.

Q. There is a map that was made by one of the witnesses on the other

side; please examine it.—A. (After examining the map.) That is generally accurate.

Q. The testimony of some of the witnesses on the other side is to the effect that this colored company was coming down and had stopped, with its front about at that well, and that they were on the side of the street, from the center to this side, toward the river, [indicating,] and that they could not have passed. That is, that this Tom Butler and Mr. Getzen could not have passed on the right-hand side of this pump, so as to turn into this street or so as to get by; that there is a ditch from the pump that interferes with the traveling there. State what the facts are. First state whether you examined the ground soon after.—A. I examined the ground, I think, a week or ten days afterward. I was there conducting the coroner's inquest, and I went down and examined the ground carefully, so as to acquaint myself with the localities.

Q. Could there have been any difficulty in the buggy going up the street and turning to the right of that pump or well and passing right on?—A. None.

Q. Was that ditch or gutter any obstruction or trouble in passing at all?—A. I think not, sir, in the least. My impression is that two buggies could have passed there, perhaps.

Q. And that ditch would have been no obstruction?—A. None, in my judgment, whatever.

By Mr. CAMERON:

Q. What were the dimensions of the ditch; how deep, how wide?—A. My recollection of the ditch is that it is one of the ordinary country-road ditches, and I should not think that it is more than two feet wide and perhaps a foot deep. I would not like to be very accurate about it; but that is my impression, formed upon my mind at the time. That is all the ditch there was there.

Q. It was stated that there was a ditch running from that well down to this cross street that would prevent a carriage going up this way from crossing.—A. If there is such a ditch my memory is very badly at fault.

By Mr. MERRIMON:

Q. It is alleged that there is a ditch running across the street at that well?—A. Yes, sir.

Q. And that a buggy could not cross there on account of the ditch?—A. My judgment is badly at fault if there is any such a ditch there.

Q. Is there a ditch?—A. Yes, sir; there is a ditch.

Q. Does it run up to the well?—A. No, sir.

Q. How much does it lack?—A. It lacks the whole roadway; that is my impression.

Q. Are you very positive about that, because there are three or four witnesses who have testified that they could not get a buggy over it?—A. I think that is entirely a mistake.

Q. Are you very positive about it?—A. I would not like to swear positively about it. My impression is very strong about it. I like to be very careful in any statement I make. I examined the ground carefully, and I saw nothing on the ground that would obstruct the passage of a buggy at that well on either side.

By Mr. CAMERON:

Q. Were you acquainted with Attaway in his life-time?—A. Very well, indeed, sir.

Q. State what manner of man he was; what his reputation and character were?—A. His general reputation in that community was that

he was a straight-forward, truthful man; a man that could be depended on, and a man who had a great deal of resolution.

Q. A man of a good deal of character?—A. Yes, sir.

By Mr. MERRIMON:

Q. Was he a violent man?—A. I never heard him have that reputation.

Q. Never knew that he had any trouble there?—A. I know of none.

Q. That he was insolent—insulting?—A. I never heard of it. I had a good deal of business negotiations with him from time to time on account of his relations to the county as one of its commissioners, and I always found him pleasant and affable, but a man of spirit.

T. E. CLOUD—FAIRFIELD COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

T. E. CLOUD sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Thirty-eight, sir.

Q. Where do you reside?—A. At Ridgeway, Fairfield County.

Q. What is your business?—A. Merchant.

Q. Do you know a man by the name of Marshall in your county?

WITNESS. Warren R. Marshall?

Mr. MERRIMON. Yes; that is the man.

A. I know him, sir.

Q. What is the state of his credit in your town among business men?—A. He has no credit at all, sir.

Q. Does he owe you anything now, sir?—A. He does, sir.

Q. How much?—A. He owes us somewhere between ten and twenty-five dollars. I have an order of ten dollars, and then he owes us on a book account. I do not know exactly what the book account is.

Q. Can you get the money that he owes you?—A. We have failed to get it so far.

Q. How long has he owed you?—A. He has been owing us ever since the fall of 1875, I believe it is.

Q. He swore that his credit was good?—A. His credit is not good.

Q. You know that of your own personal knowledge?—A. Yes, sir; I know that myself, and I know it because I have here in my possession now two notes for forty-eight dollars that a man told me this morning I could have for five dollars.

Q. Do you know anything about a controversy he had with a man by the name of Smart?—A. Yes, sir.

Q. Tell the committee about that.

By Mr. CAMERON:

Q. Do you know it of your own knowledge or from hearsay?—A. I will tell what I know of my own knowledge. I was in the store, sir, on a certain day—he says on the 22d of September; I didn't keep the date, but he said it was on the 22d of September—some person came in and told me that there was a fight out on the street. I went to the door and found that they had just finished, and I noticed that it was Smart and Marshall that had been fighting. I could tell that from the appearance of the two men. I walked out, as intendant of the

town, to where they were, and asked the cause of the fight, and they told me.

Q. Who told you?—A. I could not say which particular person.

By Mr. MERRIMON:

Q. Was Marshall present when anybody told you?—A. No, sir; he was not present when anybody told me.

Q. Did he hear what was told you?—A. No, sir; he did not hear him.

Mr. CAMERON. You need not state it then.

By Mr. MERRIMON:

Q. State whether the matter came before you officially.—A. The matter did come before me officially afterward.

Q. What were you?—A. I was intendand of the town.

Q. Were they brought before you?—A. The policeman brought them before me. He came up and stated that the fight had occurred, and I went out and asked what caused the fight, and they told me.

Mr. CAMERON. You need not state that unless Mr. Marshall was present and heard it.

The WITNESS. No, sir; he was not present.

By Mr. MERRIMON:

Q. Was Marshall brought before you?—A. No, sir.

Q. Was Smart brought before you?—A. Yes, sir; he was brought before me. I had Smart put in the guard-house.

Q. Did you know of your own knowledge what the fight was about?—A. I heard somebody say what it was about.

Mr. CAMERON. That won't do.

By Mr. MERRIMON:

Q. Do you know from Mr. Marshall what it was about?—A. I heard Marshall say to Smart, "You come down to the office and I will give you your note." I heard Marshall say that it was about a note.

Q. Was that before or after the fight?—A. That was after the fight, sir.

Q. Do you know anything about any firing upon him by anybody?

Mr. CAMERON. Of your own knowledge, now.

The WITNESS. Did I hear of a firing?

Q. Did you see it?—A. No, sir; I did not see it, but the evidence was brought before me concerning it. Marshall wrote me a note that he had been attacked.

By Mr. MERRIMON:

Q. Have you got that note?—A. No, sir.

Q. Have you lost it?—A. Yes, sir; I could not find it; I looked for it this morning.

Q. Can you state to the committee the substance of it?—A. Yes, sir; I will state the substance of it, and the substance of my answer, if I am allowed. Marshall wrote me that he had been waylaid—that, I think, was his word—on his road home, on the public street, by two young men, John Smart and Albert Smart, sons of the gentleman that had the fight with him, and he wrote to me to have them arrested, and a colored man brought the note to me, and I asked the colored man if they had attacked him.

Mr. CAMERON. Don't tell what the colored man said to you.

The WITNESS. I will tell what I wrote back to him, then. I wrote to him that this colored man had stated that they did not fire at him, nor

attack him; they were only on the roadside. Consequently, as they made no assault upon him, I could not arrest them without inquiring further into it. That was the amount of what I wrote to him; then later, I saw these two young men, and I made them agree to—

Mr. CAMERON. You need not go into that.

The WITNESS. I wrote a second note to him. That was the reason I was going to state that I made them agree to make up the difficulty with him, and I wrote to Mr. Marshall that they had agreed to make up the difficulty.

By Mr. MERRIMON :

Q. Was that a political controversy?—A. No, sir; a personal matter. Politics had not the least connection with it.

Q. Where were you on the day of election?—A. I was right at the polls at Ridgeway.

Q. Is it a large polling-place?—A. Polls something over seven hundred votes.

Q. Was there any violence or intimidation there that day of voters, that came within your observation?—A. None at all by the whites, and none especially that came under my observation by the colored; only a general intimidation by the colored people.

Q. What do you mean by general intimidation?—A. Well, threatening around; or not exactly threatening, but quarreling with those who wanted to vote the democratic ticket.

Q. Did you see any democratic negro assaulted there?—A. No, sir; I did not.

Q. Did you see any controversy with one of them?—A. No, sir, I did not; but there will be a man here who will tell you about that that did see it. I didn't see it.

Q. Did every person vote there that day that wanted to, as far as you know?—A. Every person that wanted to voted.

Q. Did you see much of the box that day?—A. I staid right at the box all day.

Q. Do you know any other facts upon the subject of the election or intimidation?—A. No, sir. The only thing I can state is that it was just a quiet and peaceable election. Everybody that wanted to vote voted. I saw no person that was prevented from voting.

Q. Who was the military officer there?—A. Lieutenant Gales.

Q. Where is he now?—A. I do not know, sir, where he is.

Mr. MERRIMON. You can examine the witness.

Mr. CAMERON, (to the witness.) We will excuse you.

B. W. EDWARDS—DARLINGTON COUNTY.

CO UMBIA, S. C., *January 8, 1877.*

B. W. EDWARDS sworn and examined.

By Mr. MERRIMON :

Question. What is your age, sir?—Answer. I am nearly 53 years of age; will be this month.

Q. What is your business?—A. I am a lawyer by profession.

Q. What is your residence?—A. Darlington.

Q. With what political party do you affiliate?—A. Democratic party; that is, I have affiliated with that party during this election.

Q. Did you take any part in the late election campaign in your county or in that section of the State?—A. Yes, sir; I took a pretty active part in the way of speaking and canvassing, only I had no position; I was a candidate for no office.

Q. Where did you canvass mainly, sir?—A. Over the county.

Q. Did you canvass out of your own county?—A. No, sir.

Q. Did you canvass your county very generally?—A. Yes, sir; I went to most portions of it; made speeches in almost all portions of the county.

Q. The object of this committee is to ascertain to what extent, if any, the colored people at the late election were intimidated and driven by intimidation to support the democratic ticket or to vote contrary to their political wishes. I ask you now, sir, your observation of any circumstance that came within your knowledge during the campaign bearing upon that subject?—A. I will say, sir, that I was intimate with the executive committee and acquainted with their plans, and conferred with them freely, beside knowing what my own course was, and I never saw any intimidation on the part of the democrats of radical colored men to my knowledge. In fact, I know to the contrary, that the whole policy of the party in Darlington was a peace policy, persuading, endeavoring to address ourselves to their intelligence, and to argue them into voting with us; and we gave as our reasons for it, that we were one people and one government, and we must stand together or fall together; that whatever was the interest of one party was the interest of the other; and we took occasion to speak in that connection of the persons who had been leading them, and had led them ignorantly astray and had betrayed them. That was the policy of the democratic party in Darlington County. I never went out of it, I believe, during the canvass.

Q. Did you have many democratic clubs in your county?—A. Yes, sir; we have a democratic club in every town. I think there are twenty-one or two townships. We had a democratic club in every township, and then we had a county democratic club composed of delegates from all the clubs.

Q. Is there a person in your county named Whittemore?—A. There is a person who represents our county in the senate; he doesn't live there; he lives in Massachusetts according to his own statement to me. His wife and children live in a residence near the city of Boston according to his own statement to me, and he rarely ever comes there except during elections.

Q. What is his given name?—A. B. F. Whittemore.

Q. State whether you made any allusions to him in your speeches in the campaign.—A. I did, sir; I did in almost every speech I made, because he has been ever since the colored people have had a vote a leader, and has deceived and led them astray.

Mr. CAMERON. You need not express your opinions.

The WITNESS. I have read his testimony and he made a statement that he knows nothing about, because he never heard me make a political speech in his life.

By Mr. MERRIMON:

Q. Have you heard him speak?—A. I have, sir.

Q. Can you give us the substance of his speeches?—A. I can give you some things that I have heard him say. I will give you an instance. One thing that I remember now that he said at the last election—I have heard him speak at all the elections ever since he has been there—

Mr. CAMERON. We have nothing to do with the prior elections.

The WITNESS. I heard him on one occasion say——

Q. When was that?—A. That was preceding this recent canvass.

Q. You need not go into that.—A. The course that he has been pursuing all the time is the same as that he pursued during the last canvass.

By Mr. MERRIMON :

Q. We want to get at the substance of his speeches, if you can remember it ; you cannot express an opinion ; we just want the substance of what he said.—A. It is very hard for me to remember that ; I can tell you that instance.

By Mr. CHRISTIANCY :

Q. That was when?—A. That was preceding this canvass ; on another occasion.

Q. Was it prior to 1874?—A. I think it was.

Mr. CAMERON. You need not go back of 1874.

The WITNESS. I have heard him make speeches all the time. Well, the speeches which I have heard him make recently—I heard him in a speech in the last canvass—it was at the opening of the county convention for the nomination of county officers. He told them that they must stick together ; that if they didn't they would be virtually remanded to slavery. That has been the character of his statements to them all the time.

Mr. CAMERON. You need not make those general statements, Mr. Edwards ; state what he said in any speech not prior to 1874.

The WITNESS. I am referring to that speech that he made at that convention. He referred to the State of Georgia, and told them that there was an instance of where the colored people were deprived of their rights ; that we intended to make them mere paupers, and intended to reduce them to a state of vassalage. I don't pretend to repeat his language, because I can't do it ; but he said that was just an instance of what they might expect if they were to vote the democratic ticket here.

Then he referred to what he called rifle-clubs. He spoke of seeing democrats armed on one occasion ; and said to them, " Well, I do not advise you to come armed now ; but," he says, " we are going to have a big meeting here on a certain day." He says, " Well, I don't advise you to come armed, because that is against the law of the State ; but you must come prepared to take care of yourselves." He wanted to be careful, and was careful not to make a sweeping remark that would commit himself. He was aware that I was listening, I presume, for I saw a colored man go to the window and look, and go back toward where he was speaking, and I could hear his speech suspended for a period. That was as strong as I heard him. He did attempt to say in several speeches what I said ; but he never heard me make a political speech in his life. He has heard me make Sunday-school speeches to the colored children.

Q. (By Mr. CHRISTIANCY.) You know that he never heard you make a political speech?—A. I am very sure of it. He never was present when I made one ; I know that.

Q. That is, you didn't see him present?—A. I know he was not there, because he declined to come. We invited him courteously to come and he declined to do it. I know he was not there. He has related here in his testimony what has been said. He said, just a few days before the election——

By Mr. CAMERON :

Q. You heard him, did you?—A. No, sir; that was just the kind—

Q. Wait one moment, Mr. Edwards. You know very well that you cannot testify as to that.—A. I beg your pardon, sir; but I did not intend to say anything likely to prejudice your minds. I observe, in his testimony, that almost everything he says is hearsay.

Mr. MERRIMON. He says this: "In August the campaign commenced, and there was a general intimidation throughout the entire county. Rifle-clubs were drilling in public view and parading in public highways and on private premises and shooting at marks, and there were general rumors of violence. Notice given to me of peril to my life, and there were persons armed riding about the county. They would come to our meetings and demand a division of time."

Now, what will you say of that?—A. Well, sir, is Timmons ville called there?

Mr. MERRIMON: Yes, sir. He says: "At Timmons ville, in August, we had been notified by the democrats that they would have a division of time by fair means or by foul. The day before the meeting arrived the white people rode towards Timmons ville. They had arms in their vehicles and on their shoulders, and on Saturday I went to Timmons ville and found great excitement and fear. The county chairman and mayor came to see me about a division of the time, and I told them that it was a republican meeting, and that we couldn't divide the time."

The WITNESS. Shall I respond to the general question of intimidation first, and then go on to Timmons ville?

Mr. MERRIMON. Yes, sir; you may go on that way.

The WITNESS. I had already answered, sir, if there had been intimidation, or any effort at intimidation, I am very sure, from the part I took in the canvass of the county, I have never known it. I say that it is not so.

Q. How about that general state of terrorism?—A. Well, sir, there was some terrorism on the other side. I will state that there was intimidation, but that intimidation came from the other side. I know that to be so, for I witnessed it.

Q. Can you specify any circumstance?—A. I will specify, sir. On one occasion—or perhaps I may as well go to Timmons ville first, because that was pretty much the center of the canvass in our county. He speaks of his information. I had information, we all had information, that the captain of a militia company—or had been captain of a militia company that, perhaps, ought to have been disbanded; their arms had, I think, been ordered by the government to be given up; and was then a member of the legislature, and afterwards ran and was elected again; Samuel J. Keith, a colored man—we were informed that he said that they were going to fight.

By Mr. CHRISTIANCY :

Q. Do you know he said it?—A. Only know the same way that Mr. Whittemore says they were threatened.

Mr. CHRISTIANCY. If you do not know it I object to its being taken down.

The WITNESS. I want to state our motives—my motives—for going there; that was what I was after. It was stated that those parties had said—

Mr. CHRISTIANCY. We have no objection to your stating that in consequence of what you had heard you went to Timmons ville; we have no objection to that at all, if you want to state that; but as to a specific

statement made by some one else when you were not present, we object to that.

The WITNESS. I will go on, then, if I cannot be allowed the same privilege that Mr. Whittemore was.

Mr. CAMERON. You need not reflect upon the fairness of the committee; you are allowed precisely the same privilege that he was.

Mr. MERRIMON. I objected time and again while that witness was testifying.

Mr. CAMERON. The same rule was applied that has been applied to every witness and will be applied to this witness.

By Mr. MERRIMON:

Q. Go on, Mr. Edwards.—A. Well, sir, in consequence of what was said we went down there. We expected that the people at Timmons-ville would be imposed upon. We went there without invitation from anybody—no democratic club or anybody. My purpose in going—

Mr. CAMERON. You need not state what was your purpose.

The WITNESS. My purpose was peaceful; I will state that, and I will state that one of the leaders had said to me—

By Mr. CHRISTIANCY:

Q. One of the leaders of what party?—A. One of the leaders of the republican party and formerly a member of the legislature, Jordan Lang, a colored man, said to me that when he saw me going that he knew there would be peace there. I have always borne out that reputation.

Mr. CAMERON. You need not defend yourself.

The WITNESS. Well, sir, when I went down there, on my way I passed by Jordan Lang's house, about three miles from the village—Timmons-ville is twelve miles from our town—and they were loading a wagon with arms, putting guns into it. I saw them do it, and I passed them all along the road with guns; colored men; republicans, too, I knew them to be. All along the road they had guns, and when we got there I suppose there was one hundred and twenty or thirty white men riding into town on horseback.

By Mr. CAMERON:

Q. Were they armed?—A. I don't remember to have seen a gun upon the shoulders of any of them. I did not see their arms if they had any.

By Mr. CHRISTIANCY:

Q. No pistols?—A. I did not see them, sir; that is, but very few of them. Occasionally I could see a pistol in a belt; no attempt to conceal them. It is, unfortunately, true that arms are carried in our country now by both races. I know that to be true, for I have seen it. I did not see but few pistols that day. I suppose there was not exceeding from thirty to fifty guns that I saw in the hands of white men that day, and when I got to Timmons-ville I did not see but few guns; but after the committee—not being on the executive committee, I cannot state the facts or any of the conversation; I only know what they said about it. I know that the chairman, Colonel Law, who is a witness here, came and announced to a crowd of white people that the republicans declined to allow them to share the stand and speak with them, and said that they would go to another stand; and then, under his advice and my own too, we quietly marched up to the stand that had been prepared, as I was informed—I don't know—jointly by the democrats and republicans. That was Mr. Whittemore's statement; that he gave it up because he didn't claim that it was theirs. We quietly went up there, and then

they went up to a stand of their own, I reckon, and we did not see any republicans at all. They had preceded us farther up the road.

Q. They went to another place?—A. To another place. The only guns that I saw exhibited by the white people, or the larger portion of them, was at that time. They carried their guns up as they went up to the stand, and I suppose there could not have been more than from thirty to fifty guns that I saw. After we got through speaking at our stand—we had some democratic speaking there—some of us then went up to the stand where the republicans were speaking. It was on my way home, a mile nearer home, and I did not return at all to Timmons-ville. It was a mile out of Timmons-ville, directly on my way home. We went down there, some of us, and I don't suppose there was more than fifty mounted men that went down there.

By Mr. MERRIMON:

Q. I call your attention particularly to the number of democrats. Mr. Whittemore says there were about two thousand republicans and about fifteen hundred democrats there at the school-house?—A. Fifteen hundred democrats?

Q. Yes, sir.—A. I suppose there was one-thirtieth of that number went up to the school-house, and there may have been fifteen hundred in town that day. I suppose there were, but they didn't go up there. I suppose there was as many as fifty mounted men, and there may have been one hundred or more than one hundred white democrats went up there; but there was only about fifty mounted men, and I don't remember to have seen but very few guns, if any, in the hands of the white men when we went up to that stand.

We didn't go up there with any other purpose than to hear what Mr. Whittemore had to say. When we got there Colonel Law was at the head of these mounted men that rode up there, and they all rode up on one side and listened respectfully until Mr. Whittemore was done. He then announced to them that Mr. Richardson, candidate for Congress, was there, and would like to speak to them.

By Mr. CHRISTIANCY:

Q. Who announced that?—A. Colonel Law.

By Mr. MERRIMON:

Q. Mr. Whittemore says this: "When I was on the stand five hundred mounted horsemen drove up and surrounded the place, with rifles on their shoulders and pistols in their belts." Is that true, sir?—A. That is not true. There were not five hundred mounted men there that day, and I do not think there was exceeding fifty men mounted that went up there, and they didn't surround anything; they rode up to one side and listened until he got done. I walked up; I was not mounted. I went down in a buggy that day. They listened to Whittemore until he got through, and then Colonel Law asked them if they would hear Colonel Richardson; and Colonel Richardson then gave them a short speech—that is, those that would remain. When we got through there—I would not say positively, but I think there were from one hundred to one hundred and fifty colored republicans drawn up in line, with arms in their hands, muskets, shot-guns, and revolvers, and they had the Remington rifles that had belonged to that militia club; and it was hearing that these men were to be there that made us go there at once—

By Mr. CHRISTIANCY:

Q. Used to belong to what militia club?—A. Belonged to a

milita company that I had spoken of a little while ago, that Mr. Samuel J. Keith had formerly been the captain of. They had arms there in their hands, and were drawn up in line ready for an emergency. Well, sir, that night as we rode home—I do not know what Mr. Whittemore said to them down there, except that he said he was sorry for the necessity of their having guns in their hands; but when they heard of such things as the murder of colored men it was natural for them to do things of that kind. As we went home the colored men, as we passed them, in several instances, were what I would call impertinent in their manner of address to us. We did not take any notice of it, but rode on home. They came in town that night, a good many of them——

Q. Came into what town?—A. Into the town of Darlington. They went from the town that morning, and Mr. Whittemore went from the town with persons who had guns, and they came back bragging of how we had backed out.

By Mr. CAMERON:

Q. Did you hear them?—A. I heard a good many of their remarks; I could not mention any particular individual.

Q. Well, give some of the remarks that you heard.—A. I heard remarks that I was morally certain referred to the Timmons ville affair. They didn't say Timmons ville, and I cannot say, therefore, that they were talking about Timmons ville; but I heard one of their prominent speakers, a man who was a candidate for office——

By Mr. CHRISTIANCY:

Q. Who was that?—A. Theodore B. Gordon. I heard him say, "I just wish that they had raised a disturbance. We would have cleaned them out. We intended to clean them out." And I overheard the son of this man Gordon Lang, John Lang—I came upon a company of them. They did not know I was near. It was a little dark, and I was going from my office home, an evening or two afterwards. Said he, "I went there for the purpose of killing a damned reb. We heard such threats before we went there, and," he said, "we went there for that purpose." Is there anything else that you want me to state in reference to the Timmons ville affair? If not, I will go on to the general question again.

By Mr. MERRIMON:

Q. Well, sir, just proceed with your account. Just give your information and your observation.—A. I have told you all I know about Timmons ville, I suppose. Soon after that, I think it was on the first Monday in September—the first Monday in the month there is a sale-day in South Carolina. I have an office on the square, with a piazza in front; and there was a very considerable amount of disposition to bully colored democrats by the colored republicans, and one instance of it occurred immediately in front of my piazza. Colonel Law, myself, and several others sat upon my piazza, and we saw them wrangling and talking. They were in groups all about the square, and it was a general intimidation, if I understand anything about it, of colored democrats; and there was a great deal of excitement, and really I felt very much afraid that there would be trouble. We were appealed to by these men——

By Mr. CHRISTIANCY:

Q. By whom?—A. By those colored democrats. They said, "You promised to protect us." We made promises to the colored race in our speeches that those who voted with us should have protection; and they appealed to us. I witnessed some of that. I was called upon as

an attorney, by the democratic party, to be present at the preliminary examination of a case of intimidation of a colored man, who was a democrat, by women. They set their women upon him, and the proof was—I heard the proof—that these women had made an onset upon this colored man because he was a democrat.

Mr. CHRISTIANCY. I object to proving testimony in that way, second-handed.

The WITNESS. Well, I do not understand what evidence is if that was not a case of intimidation.

By Mr. MERRIMON:

Q. How do you know it?—A. I was present at the examination—examined the witnesses. I do not know it in any other way.

By Mr. CHRISTIANCY:

Q. Can you testify to the truth of everything a witness testifies to on the stand?—A. I do not say that, sir.

By Mr. MERRIMON:

Q. Proceed now; any other locality or anything else you observed?—A. Those kind of things occurred in the county—

Q. Often?—A. Very frequently, sir. I was present—

Q. Whittemore says, among other things, "Col. B. W. Edwards said in a speech that they intended to discharge every man who voted the republican ticket. George W. Darling did so; and that those speeches were made at the court-house; they said they would remove every man from their plantations who voted the republican ticket, and they would do it in spite of Grant's and Chamberlain's proclamations."—A. Now, sir, the speeches referred to on that occasion Mr. Whittemore did not hear a word of, and he never heard me make a speech, as I stated before. I know he did not hear this, because we addressed him a respectful letter at the close of that meeting to attend at a public discussion on a subsequent occasion.

I here say that there never was a demand made for a division of time of the republicans by the democrats, to my knowledge, unless you call that at Timmonsville a demand. They declined it, and we did not push it at Timmonsville. There never was anything like a demand, to my knowledge, on any other occasion. We addressed him a respectful note, which I helped to put in language, to come and discuss the matter. I never did, and never heard any other man, make the statement that he alleges I made there, at which speech he was not present and knew nothing about. I never heard any man make that statement.

I never heard anybody threaten to turn everybody off that did not vote the democratic ticket. It is probable that at that time and on that occasion I said to them that I would not rent lands to those who voted against me in the State election, to those who voted the radical ticket; and I made a distinction between the radical and the republican ticket. I told them that they had been putting men in office in South Carolina who would ruin any country, and that it was not possible for us to stand it, and that they were putting men there who were squandering our money, and who levied such taxes upon us that we were taxed out of our property, and that we would not be able to help the colored men. We have been helping them also, by supplying them, as well as by renting lands to them; that we did not propose to make contracts with those who went on trying to put such persons as those in office, to ruin and take our property away from us.

By Mr. CAMERON :

Q. In other words, you did not propose to rent lands to those who voted the radical ticket?—A. Yes, sir; the argument was, "We do not propose to make contracts with you if you vote for those men, such men as you have voted for heretofore; but we will carry out all our contracts with you; we don't propose to violate any contract or turn out any man until his contract has expired; we will turn out nobody." I never heard any man tell them that he would not employ any of them. We said just simply that we would not rent them lands. As for any proclamation of Grant's or Chamberlain's, I do not know that there ever was any proclamation in reference to that matter. I could tell you a good many things that I heard Mr. Whittemore say, if you want to hear.

By Mr. MERRIMON :

Q. You can tell anything you heard him say.—A. I did not hear him say that Grant would see the lands were cultivated, or that Chamberlain said so either. I did not hear him say so myself.

Q. Where were you on the day of election?—A. I was at Darlington Court House, sir.

Q. Were you about the polls during the day a great deal?—A. Yes, sir; I remained at No. 1 poll during the day.

Q. How many boxes were there?—A. There were two, sir.

Q. Number—A. Number 1 and 2, sir.

Q. Whittemore, in his testimony, says, among other things, "The democrats, to the number of probably not less than fifty, took possession of the poll, and one said, 'Now, boys, don't let a damned republican vote here to day.'" Did you hear that, sir?—A. I did not hear that. I did not get there very early; it must have been an hour by sun—the morning was cloudy—when I got over there. A great many more republicans were about the polls than democrats. There were eleven hundred and fifty republican votes and only about three hundred and fifty democratic; and they had the polls more in their possession all the time after I got there than the democrats did. I did not see any democrat even press or urge upon a colored man to vote the democratic ticket.

Q. Did many colored men vote the democratic ticket?—A. There were a few voted it, but they were under terrorism from the other side. I carried men there myself—one or two, sir—that I expected to vote the democratic ticket; and when I had talked to them awhile the influential ones on the other side would take them away from me and carried them off and voted them, I presume.

There were arms brought in by the republicans and deposited in the jail, within thirty or forty feet of poll No. 1. I did not see them brought up there, but I saw them taken out the next day, a good many of them; saw the persons who took them and brought them and deposited them there the morning before election-day, or the night before. The jailer was a radical, and somewhat of a bullying leader.

I was at poll No. 1 when a rifle was brought and deposited in the house that morning within thirty or forty feet of the poll. There were no visible arms amongst the white people at all there, and if we had brought any the republicans would have eaten us all up.

I will say now, sir, in reference to the statement of democratic clubs riding about the country and going about with arms and shooting at targets, and all that kind of thing, that I have seen a great deal more of it by the republicans than by the democrats. The republicans were not generally as well mounted, because they did not have the horses; but

the mounted men in our clubs did not have any visible arms; I presume that they had pistols, though I do not know.

Not long after the speech that I told you I heard Mr. Whittemore make at the convention where the county nominations were made, in which he told them to come in and take care of themselves, I saw a company drilling with arms in their hands in the streets one morning, and I saw mounted men with arms, colored republicans; and that day those of us who were present at the speaking were there without any visible arms, and there were too few of us to have made any demonstration; and on several occasions—I mean one or two, toward the close of the canvass—I suppose it was not more than a week or two before the election—Mr. Whittemore and others went to Timmonsville to speak. I did not go. I only heard that they did speak; but the crowd came back after dark, and as they entered the town made it hideous with yells and the firing of guns. They fired off, I suppose, hundreds of guns, and it was very much to the annoyance and even terror of the people of the town; and we could not suppress that thing, there were so many more of them than there were of the white people, and so few of the white people, that we could not prevent it.

I have seen them firing their guns and pistols. I have seen them take their muskets out of my yard—men that I had in my employment—and go to drill. I have seen them come into town more than once at various times in the evening with their guns, with the avowed purpose of drilling. I have seen that; I have heard their noises, their disturbances, and their firing of guns, repeatedly.

Q. Was there any firing of guns by the colored people on the Saturday evening before the election? If you say yes, state where it was—I mean about your town.—A. That was the time that they came in from Timmonsville. There was a great deal of it, and it was very much to our annoyance; and it was done with a great deal of apparent purpose to flaunt into the faces of the white people that they were unable to take care of themselves. It seemed to be that way.

Q. Did you hear a speech made by a man named Keith?—A. No, sir; I did not hear that. That is this same Samuel J. Keith who is captain of a company. I did not hear that speech, sir; but I will give you one instance. I told you that we invited them to come and participate in our discussions—they say that we demanded a division of time—we invited them to come on one Tuesday evening to the court-house, and Mr. Whittemore declined, and they all declined; none of them came; none of the leaders attended that time; but the evening before, that is, Monday evening, they conducted the meeting for themselves, and they did not invite us, or tell us they were going to have a meeting. But I went in the court-house and just sat down as a citizen and listened, and I heard inflammatory speeches from more than one. I heard J. A. Smith, who was then a member of the legislature, and was afterward elected again to the present session, talk, too. Well, he talked about how their old masters used to paddle them and abuse them, and he inflamed their minds as much as he could against the white people. That was the general tenor of their speeches—inflaming their minds against the white people—and it has made a race question between the white and black men in our part of the country, and they feel that way toward us, and act that way. And I heard this same Theodore Gordon, to whom I have referred before, in a speech there that night say that they must be armed; that they must take care of themselves; and he referred to some two or three instances where there had been collisions between them, and said: "We did not come out so well at first, but it got better

and better, and the last one we had is better still." Said he, "Just let them come; I am ready for them any time, and I don't care how soon they pitch in;" and there was a colored man behind me who says, "Let them begin it to-night; we are ready for them; we want to kill them." I did not think that I was in any danger; I was not frightened; still I did not know what they would do. When they got through their speaking, this man Keith rose to make a speech, and I arose and addressed the chairman, and asked him if I could make a request of that meeting, and Keith says, "No, sir; you cannot; you will not be heard;" and would not allow me to speak at all. They just drowned my voice; would not hear me. I then hallooed out what I intended, that "we would be glad to hear you all at our meeting to-morrow night." They would not hear me at all.

By Mr. CAMERON:

Q. That was their meeting?—A. O, yes; they had a right to prevent me from doing it; but I am showing you the spirit; and that was the night preceding the night we had invited them to come to our meeting. In answer to your question about intimidation: it is hearsay testimony, I presume, strictly; that is, what I heard was said to colored men in reference to their voting my ticket or refraining from voting against us; we never said to them that we will expect you, or require you, or anything of the kind, to vote the democratic ticket, but we beg you not to vote against us, to refrain from ruining us and yourselves. And I talked to them, some clients of mine, professionally, who were very clever, good men, and they said to me, "Well, your talk seems all right, but we cannot do that; we don't dare to do it." They then told me that "if we do it we will be turned out of doors, and our property will be taken from us, and we will be persecuted and killed; and we don't dare to do it." They said that they feared they would be killed if they did it; that they would be very willing to do it; that they thought what I said was reasonable and right, but they didn't dare to do it. There were numbers of them told me that, and there were women told me that their husbands should not do it; that they would be killed if they did do it; that they had been threatened so. Now, the character of the speeches that were made to the colored men—and I talked to them privately also in the same way, and patiently and tediously, as well as in public—our speeches all went to persuade them that it was their interest to vote with us; that we were of all people in the world the best able to be their friends, and had the greatest reason to be friendly with them, and that they were just as free as I was and had every privilege that I had, and as much right to vote their ticket, if they chose to vote it, as I had; but that if we did not join together to make this a better government and turn out these men we should be all ruined together; and in my speeches I referred to Mr. Whittemore, and I told of some of his speculations, which the negroes present on more than one occasion said they knew to be so.

By Mr. MERRIMON:

Q. How was the vote in your county as to the result?—A. There was twenty-seven or twenty-eight hundred—I do not know the precise figures—democratic, and thirty-three hundred and odd—thirty-three or thirty-four hundred is my recollection—republican.

Q. Do you know whether the republicans got their usual vote—a full vote?—A. I am under the impression that they did, sir. I know this, that they got more votes than they had in the county, because I know

of repeating; I know of persons under age voting, and men came to me—were brought to my presence the day of election and admitted that they had voted twice that day. I know that they got more votes than they have got in the county; that is to say, subtracting what they got of men who had voted with us. We got two or three hundred colored men to vote with us or stay at home. We had taken a very careful estimate in every town of all the voters.

By Mr. CAMERON:

Q. Did you take the estimate yourself?—A. I did not.

Q. How do you know, then, whether it was careful or not?—A. I only know what was done in my township; I was on the committee—

Q. Speak of what you know and not of what you do not know.—A. I know just as well as I know anything what the census in my county is, and that was taken by somebody else. I know that there were more votes than there were men that voted that ticket, and I know, too, that we did not influence a vote by intimidation or terrorism. My knowledge, of course, is hearsay to some extent, but I know there was nothing of it at the poll where I was.

By Mr. MERRIMON:

Q. What has been the course or conduct of the republicans in your county since the election?—A. Well, sir, recently we have had some very flagrant outrages in the county; well, I cannot say that the republicans did it, though; they were committed upon democrats, though.

Q. What sort of outrages were they?—A. We have had barns set on fire—my own was set on fire, in three different places, on the night of the 4th instant, last Thursday night, and it has been set on fire some two or three times since the canvass commenced in our town—gin-houses and barns; gin-houses, with cotton, corn, and things of that kind, have been burned in the county.

By Mr. CAMERON:

Q. Have you seen any burning?—A. No, sir; I did not see any burning.

Q. Now, do not testify to that; you are testifying to mere hearsay.—A. I saw the fires in my town; I saw the fair-ground building, which is considered a white man's institution and a democratic one, that was burned. We have not been troubled in any other ways, I suppose, but by incendiarism.

By Mr. MERRIMON:

Q. Do you know the general reputation of this man B. F. Whittemore?—A. Yes, sir; I have known his general reputation for a good many years.

Q. What is it for truth and honesty?—A. It is not good.

Q. Would you believe the man on oath?—A. I would not, and I think I can produce one hundred witnesses that would not. I intended to have stated, if it was admissible, that my speeches were in reference to Whittemore particularly; I told a good many things on Whittemore, and the negroes said they were true—republicans too—the men who voted the republican ticket.

D. F. BERRY—MARION COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

D. F. BERRY sworn and examined.

By Mr. MERRIMON :

Question. State your age, your place of residence, and your business.—
 Answer. I am forty years old ; I live at Marion ; I am sheriff of that county ; also a farmer.

Q. When were you elected sheriff ?—A. I was elected on the 16th of October, 1872.

Q. Elected as a republican or a democrat ?—A. I was elected by the republicans, sir.

Q. Were you a republican at that time ?—A. Well, I cannot say that I was.

Q. What sort of a politician were you ; on which side of politics did you belong ?—A. I was a democrat elected by the republicans.

Q. Did they know your politics at the time they elected you ?—A. I don't know that they did ; they did not ask me my politics. They asked me would I serve if I was nominated and elected, and I told them I would ; after considering the matter, I finally told them I would do it. I suppose they elected me as a republican.

Q. A negro named Simon Crawford has stated that you were in jail for entering somebody's smoke house ; is that true or false ?—A. That is false ; I was in jail, but not for entering a smoke-house.

Q. For what ?—A. Assault and battery, and for defending my own life, as I thought.

Q. Have you ever been charged with stealing to your knowledge ?—
 A. I never have, until since I have understood that Simon Crawford accused me of it.

Q. State whether you know anything of Simon Crawford ; and, if you say yes, state whether you have at any time visited his house and under what circumstances, who was with you, what was done, and how came you to go.—A. Yes, sir ; I think it was on the 16th of September—I am sure it was the 16th of September I was in the neighborhood of Simon Crawford's and was informed by some of the best citizens there—

Mr. CAMERON. You need not state what the citizens informed you.

Mr. MERRIMON. You can state whether, in consequence of what you learned from the people in his neighborhood, you did anything.—A. From information that I got, I went to Simon Crawford's house and told him what I had heard.

Q. You can state what you told him.—A. Yes, sir. Well, I told him that I understood that he had a club for the purpose of killing out the women and children and burning up the property of the citizens in that neighborhood. I simply went there for the purpose of telling him the evil of this thing, in order to keep peace in the neighborhood.

By Mr. CHRISTIANCY :

Q. That is what you told him ?—A. That is what I told him.

By Mr. MERRIMON :

Q. You were the sheriff ?—A. I was the sheriff, and am yet, sir.

Q. Well, go on, sir.—A. He informed me that it was false ; that what I understood was false. I told him, well, then, I had no more to say.

I was glad to know it was false. He told me the object of their club. Says I, "Well, Simon, that is all right;" and we left each other just in that way, perfectly peaceable. I even shook hands with Simon, because I had always been friendly with him before that time, and we parted friendly, as I thought. Do you wish for me to continue?

Q. Yes, sir; go on and tell all about what happened there.—A. That was on Saturday night, the 16th of September. On Sunday evening I got information, and on account of that information I sat up all night. I live a mile and a half from town, and on Monday I went to town for the purpose of attending to my business there. When I reached town I found that the whole town was under a great deal of excitement; but you will not allow me to bring that in.

Q. Go on and state anything you saw of the movements of the negroes and the whites.—A. I hardly know how to express it unless you will let me tell the reason.

Q. State whether you did anything in consequence of what you saw.—A. Well, soon afterwards Simon Crawford came into town—

Q. I understood you to say just now when you reached town you found quite a hubbub and excitement.—A. Yes, sir; a good deal of excitement in town.

Q. Was that among the whites or blacks?—A. It was among the whites. I met a good many white persons; among them was W. T. Evans and several other gentlemen, and they told me that Simon Crawford—

Q. You cannot state that. State if you saw Simon Crawford after that, and under what circumstances.—A. He came into town with another colored man, who came to me—I can tell that, can't I? This colored man came to me and said he wanted me to go and see Simon Crawford, to meet him and prevail upon him not to come into town with his armed men. He did come into town with him—I suppose he went back, and he came into town soon afterward with Simon Crawford, both of them riding in a sulky. They went to the court-house; after that they went down to Mr. C. Smith's place, who was then a trial-justice.

Q. State what happened.—A. Soon afterward Simon left town. I was advised by—

Q. You cannot state what anybody told you. Did you see any negroes with him?—A. Yes, sir; I saw negroes coming in. Simon came in, and just behind him there was a crowd of negroes.

Q. How many?—A. I declare I don't remember the number.

By Mr. CHRISTIANCY:

Q. Did they come into town with him?—A. Right with him, behind him, in double rank.

By Mr. MERRIMON:

Q. Were they armed?—A. No, sir; they were not armed; those were not armed; if they were armed, their arms were secreted so that I could not see them. He went on slowly, and, I suppose, as he went up to Smith's place there must have been twenty-five or thirty negroes along with him, and they stopped in front of Smith's office.

Q. Who was he?—A. A trial-justice. The crowd somewhat dispersed, and after they did, I was advised by the attorney, Mr. Johnson—

Q. They won't allow you to tell what they said; what was done after that?—A. I went there myself, and Captain Evans, and applied for peace-warrants for Simon Crawford. They were issued and placed in the hands of a constable. That was on Monday, the 18th, I think.

That evening there was another warrant issued for Simon Crawford, by Col. William S. Mullins, who was a trial justice then, and is yet. It was lodged in my hands, directed to me as sheriff of the county.

By Mr. CHRISTIANCY:

Q. Have you got that warrant?—A. No, sir; I have not got the warrant. I have the date when it was lodged, and when it was executed.

Q. If there was any important action on that I want to see what that warrant was.—A. It was a peace-warrant. It is on record in my office. I have the date, sir.

By Mr. MERRIMON:

Q. Go on, sir.—A. It was lodged on the evening of the 18th. On the evening of the 19th—it was Tuesday evening—I went up there to Simon Crawford's, and knowing Simon Crawford as I did——

Q. I will ask you whether Simon Crawford is a violent man?—A. Very, very, sir. Knowing him as I did, I had taken a posse with me.

Q. How many men?—A. I think there was five men. Before I reached the place, from information that I received, there was two of us volunteered to go—I got information that he was armed, and had a crowd of some thirty or forty there, and that he said he would not be arrested.

By Mr. CHRISTIANCY:

Q. That was the report.—A. In consequence of what I heard I had taken with me these five men, and we went to the place of Simon Crawford, and when I got there I saw several lights in the yard, and they had some two or three little fires in the yard, and then there was two lights in different places that were moving across the road going toward a house near by.

Q. What was it that was going across that way?—A. It was some men toting lights; I think there was two or three lights.

Q. Men carrying them?—A. Yes, sir; it was a little barn that Simon had just across the lane. Seeing these men going across there I told the boys, "Now we must use every effort we possibly can and arrest these men," and says I, "Be careful; don't hurt any one, nor don't shoot anybody, whatever you do; we'll arrest him without shooting him." When they went to the barn—I thought they went into the barn—I ran up, and as I ran up some of the boys hollered and some one fired from the yard toward us. After we got to the barn we closed the door and left one gentleman there with a gun. We then went into the yard, I and the rest of the party, and when we got in we were fired into again from near by. I think it was just across a little fence in the field where the parties were that fired into us. One of my posse was wounded through the shoulder. They all had left the yard—I think all of them had left the yard. We then went back to the road. This party that was wounded got back as far as the lane, and there in the lane he fell and could not get any farther.

By Mr. MERRIMON:

Q. That was a white man, a member of your posse?—A. Yes, sir. I then went to the barn myself where I had left this man guarding the barn, I and one other of my posse went there, leaving the balance in the lane with this wounded man. When I got there I told one of the boys, says I, "Bring out the parties;" he went in and only found one person in the barn. We brought him out, and I taken charge of him myself; I just caught him by the collar. I didn't know who he was. I

knew he was in the crowd there with them, and I thought it was my duty to take charge of him. We went on out into the lane, and after we got into the lane this wounded man asked for water, and some of the party went back after water into the yard. I could give you a diagram showing exactly the situation of the place, if it was necessary to show more plainly to you the way I am stating it.

Mr. MERRIMON. It is hardly necessary, I think, for our purpose. Go on and describe it as fast as you can.

The WITNESS. He went back into the yard after water, while he was holding this colored man——

By Mr. CHRISTIANCY :

Q. That yard was the house-yard ?

A. Yes, sir. He had to go to the house to get a vessel to bring the water. It was the yard around the house; there was a lane between the barn and this yard. While I was standing in the lane this colored man or boy—he was nearly grown, I suppose he was quite grown—he jerked loose from me, and I fired at him twice, and I suppose wounded him through the leg. I have understood since that I did, though I don't know that I did. When this gentleman came out with the water there was a colored man came out with him; as they came to the gate I was standing at the gate, or at the bars, rather; they came out, and as they came out I walked on with them right by the right side of the colored man, he on the right side of this posse that was with me. Says I, knowing that this wounded man wanted the water, "Hurry up fast." About the time I said that we were fired into and this colored man fell. I went on immediately to the wounded white man. I did not know that the colored man was so badly hurt, but afterward I found out that he was. I called the parties from the house—the women at the house; they came out and took charge of him. And we got a cart from them, put the wounded man into the cart, and carried him about a mile and a half from there, pulling the cart. We were afraid to put a horse into it, as he was badly wounded.

Q. That is, this white man?—A. Yes, sir; we left this colored man that was wounded in charge of these colored women.

Q. The one that was wounded through the leg?—A. No, sir; he was wounded I think through the back.

By Mr. MERRIMON :

Q. Who shot him?—A. Simon Crawford's party shooting at our party; shooting us from the rear as we came out from the gate and turned down toward the wounded man, and I suppose at the sound of my voice as I said, "Hurry up, boys," a gun or pistol, I suppose it was, fired and this colored man fell. I never found Simon Crawford there, nor I never found him until, I think it was, the 2d of October. On the 2d of October I arrested Simon Crawford near the town of Marion.

Q. What did you do with him?—A. I carried him before Trial-Justice Smith, Colonel Mullins not being present, though he issued the warrant. Trial-Justice Smith was present, and I carried him before him and he taken his bond, and he was turned loose.

Q. Well, sir, in going there the first time that you went, state whether you had any political object in going there.—A. None in the world, sir; politics I don't think was hardly mentioned. I know there was no political object we had in going there. We went there simply at the request of these citizens who lived near by.

Q. He said that you went back there and stole his wine, opened his barn, and threw down his fences?—A. I never saw any wine there.

Mr. CAMERON. He did not say that you did it.

The WITNESS. I never saw any wine there; if he had any I did not see it.

Q. (By Mr. MERRIMON.) Was he a person of much means?—A. No, sir; very little means, I suppose. He was claiming a small piece of land that was under mortgage; I think about twenty acres, if I am not mistaken.

Q. Was he solvent at all, sir; did he have credit there?—A. Only by giving a lien on his land. He could do as other poor men did there, and as most of them do; and even the lien was closed on him this year. I closed the lien on him myself, or my deputy did it, for a very small amount that was advanced to him.

Q. If anything was done to any wine he had, did you do anything with it?—A. Nothing in the world. I am sure there was nothing of the kind done by the posse that went with me, for they were strictly under my charge.

Q. Did you have any political motive at all?—A. None in the world.

Q. Did any of your party, to your knowledge?—A. I don't think that they did, sir. In fact I am almost confident that they did not.

Q. Do you know the general character of this man, Simon Crawford; what is generally said about him?—A. Yes, sir.

Q. What is it?—A. It is very bad.

Q. Bad for what?—A. He has often been accused of stealing and of telling untruths, and so on.

Q. How is he for violence?—A. He is a very violent fellow.

Q. A dangerous man?—A. Very dangerous I think, sir.

Q. Did he have a store-house there with goods in it?—A. If he had a store-house I have never seen it, or if he had any goods I have never seen them.

Q. Did he have a wine-house?—A. I don't know that he did, sir. There were some little barns about there. I don't know what there was in them. None of my posse went into none of them except this one that I have just told you about. If there was anything there at all I don't know it. There was only one of the party who went in and he brought this man out.

Q. Do you know anything further about this transaction?—A. I don't know that I do, sir.

Q. You have given the committee your own account of it?—A. Yes, sir.

Q. State whether any action was taken against you or any one else on account of what happened there by the United States authorities?—A. Yes, sir; there was a warrant issued by the United States commissioner.

Q. Who is he?—A. Mr. Stober, our county treasurer.

Q. A warrant was issued for whom?—A. For myself and W. T. Evans and several other gentlemen. I disremember all the names. I could not give you all the names.

Q. Well, what was done with you?—A. We went before Stober; of course we went and reported. Mr. Johnson, our attorney, went to him and told him that we would report any day that he would mention, so he mentioned the day and we all reported that day. I was about the village there all the time, and the other gentlemen too, and when that day came we all went and reported. Simon Crawford, he was there and gave in his evidence in regard to the matter, but I cannot tell you what he stated; not all of it.

Mr. CHRISTIANCY. You need not state any of it.

Q. (By Mr. MERRIMON.) What did the officer do with them?—A. He discharged all the cases but my own and one other.

Q. Who was the other?—A. Byron Campbell.

Q. What did he do with you and Campbell?—A. We were bound over to the United States court.

Q. To what term?—A. To this last term that met here.

Q. Were you here?—A. Yes, sir; we came up.

Q. What was done with you?—A. It was postponed until May, I think. Now I will state this, not because I know it, but because my attorney said so.

Q. You were here to attend the court and nothing was done?—A. Yes, sir; I was here, and he said the case was postponed until the May term in Charleston, and we went home. Both of us were here.

Q. State whether you and your posse went to Nelson Crawford's house.—A. No, sir; I never have been to Nelson Crawford's house.

Q. Have you had anything to do with him at all, sir?—A. Nothing at all. I am confident that my posse did not go, none of them; not one of them.

Q. State whether your gin-house has been burned since that difficulty with Crawford.—A. Yes, sir; my gin-house was burned, and a lot of cotton and cotton-seed, and a good many other things. I had a new gin-house.

Q. Do you know who burned it?—A. I always believed—

Mr. CAMERON. No matter about that; you can state if you know.

The WITNESS. I can tell you what the general opinion was.

Mr. CAMERON. We don't ask for that.

The WITNESS. If you will allow me I will state something else right here. Mr. Dick Davis was with me as one of the posse; old Squire Leggett's son, he was also with me at the same time. My gin-house was burned soon after Mr. Davis's gin-house was burned, and Colonel Leggett's mill-house and gin all connected together; it was gin, wheat-mill, bolting-machine, rice-machine, all these things together. It was also burned soon after.

Q. (By Mr. MERRIMON.) Do you know a negro named Isaac Butler?—A. Yes, sir.

Q. Do you know what political party he belongs to?—A. Yes, sir; he belongs to the democratic party.

Q. Do you know whether anything has been done to him on account of his politics?—A. Well, I have heard him beset on the street myself by the colored people, by the radicals there; but I suppose I can't tell this, only what he told me.

Q. You can state anything you heard any other colored man say to him on account of his politics.—A. Well, I heard these negroes abuse him there.

By Mr. CHRISTIANCY:

Q. Why did they abuse him?—A. They abused him on account of his politics.

By Mr. MERRIMON:

Q. How did they abuse him?—A. They were cursing him, and going on considerable.

Q. Did they threaten him any?—A. I have seen the marks on his head where he was beat.

By Mr. CAMERON :

Q. You do not know whether he was beaten?—A. It looked like he was beat.

By Mr. MERRIMON :

Q. Did you see where his head was beaten?—A. Yes, sir ; I saw where his head was beaten.

By Mr. CAMERON :

Q. You saw the marks on his head?—A. Yes, sir ; and he told me what did it ?

Q. You have heard him insulted and abused because he was a democrat?—A. Yes, sir ; I have heard him insulted and abused because he was a democrat.

By Mr. MERRIMON :

Q. Do you know any other facts in connection with this transaction that you have not stated?—A. I do not remember that I do, sir.

Q. Have you ever sought to induce colored men by threats of violence, directly or indirectly, to vote the democratic ticket?—A. I never did, sir.

Q. Is it within your knowledge that anybody else did?—A. No, sir.

Q. Were you a candidate at the late election for sheriff?—A. I was not, sir.

Q. You were not?—A. I was not.

Q. Did you see much of the political campaign in your county?—A. Yes, sir ; I was round in the campaign.

Q. State whether you observed any intimidation or violence on the part of one class of people toward another.—A. All the intimidation that I have ever seen was from the radical darkies toward the colored democrats.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY :

Q. At the time that you went up with the warrant for the arrest of this man Crawford it was on Tuesday evening, was it?—A. Yes, sir.

Q. What time did you get up there?—A. When we got there it was dark. It was some eight or nine miles from the village, and the warrant was not issued until late, consequently it made me late in getting there.

Q. Was there any moon shining that night?—A. I disremember, sir ; I don't think there was.

Q. You know Simon Crawford well?—A. O, yes, sir ; I know him well.

Q. You never found him that night?—A. We never found him, sir.

Q. You saw several colored men—that is, two or three, you say?—A. Yes, sir ; we saw several colored men.

Q. You found one there in that barn?—A. Yes, sir.

Q. And you came out with him?—A. No, sir ; we did not come out. We left him in there until we went to the house. We left him in the barn with a guard until after we went to the house.

Q. But afterward he came out?—A. Afterward we went back and he was brought out. I had taken charge of him.

Q. You knew he was not Simon Crawford?—A. Yes, sir ; I knew he was not Simon Crawford.

Q. How, then, did you happen to shoot him when he undertook to

run away?—A. I did it simply because he was one of Simon's posse, I suppose.

Q. Did you have any warrant for him?—A. No, sir.

Q. How was it that you had the right to shoot him although you had no warrant for him?—A. I thought I had a perfect right to put down—

Q. You thought you had a perfect right to shoot him?—A. I thought I had a perfect right to arrest a party whenever it was necessary to arrest him. I have arrested a great many persons without a warrant.

Q. What was he doing; did you see him committing any offense?—A. I saw him with a number of men going from Simon Crawford's house.

Q. But the party against whom you had your warrant was not there?—A. I could not say he was not there. I believe he was there.

Q. But you had not found him when you shot this other man?—A. No, sir; we had not found him.

Q. How did you consider yourself authorized to shoot him?—A. I thought I was perfectly right and justifiable in doing it.

Q. You would have been fully authorized, then, if any other colored people whom you had happened to see there, had started to run, to shoot them down?—A. No, sir; I would not.

Q. Why not as well as this one?—A. I had arrested this colored man and had him in my custody.

Q. You had no authority to arrest him any more than you had to arrest any other colored man there?—A. I was under the impression that I had, sir.

Q. What authority had you to arrest him any more than you had to arrest any other colored man beside Simon Crawford?—A. After receiving the information that I had I would have arrested all the parties that I found there.

Q. Then your authority for arresting this man that you caught there was exactly the same as your authority to arrest any of the other colored people there beside Simon Crawford?—A. If I had found them in Simon Crawford's yard there assisting him in preventing me from arresting Simon Crawford.

Q. But how could these men be assisting Simon Crawford when you did not know that he was there?—A. Well, sir, I had information that he was there.

Q. Did you find another negro who got shot out there?—A. Yes, sir; we found another one, and he never resisted us at all, but came out with us to our assistance.

Q. Did this other one who was in the barn resist you?—A. Yes, sir; he resisted by jerking loose from me and running off.

Q. Do you call that resistance?—A. Yes, sir.

By Mr. CAMERON:

Q. Where had you been on Saturday evening?—A. I had been to a political meeting in that neighborhood.

Q. A republican or a democratic meeting?—A. A democratic meeting.

Q. How many men were in your company when you went to Simon Crawford's house that evening?—A. I disremember how many. There were several of us. We had left this place and was going back toward the court-house, and had got some two or three miles from where Simon Crawford lived, when we got this information that I have just spoken of. I was prevailed on to go back and talk with Simon, and tell him, as I thought, the evil of having a club of that sort; and then I went back

some three miles for the purpose of doing that, and went inside of his house.

Q. I ask you now to answer my question.—A. I declare I do not remember the number.

Q. You know something about the number, do you not?—A. Yes, sir; I suppose really there were some twenty in number; perhaps fifteen; or there may have been more than twenty. I really don't know the number.

Q. But you went back merely for the purpose of talking with Simon and telling him what a terrible thing it was to have such a club?—A. Yes, sir.

Q. Why did you take so many men with you?—A. We were on our way back from the court-house, and of course they were with me.

Q. That don't follow, of course, at all that they were. You went several miles out of the way for the purpose of expostulating with Simon?—A. I suppose it was between three and four miles.

Q. These fifteen or twenty men went out of their way also?—A. Yes, sir; they went back with me.

Q. Please explain why it was necessary to have so many men with you to tell Simon what a dreadful thing he was doing in having such a club?—A. They were not with me when I spoke to him.

Q. But they were in that immediate vicinity, out in the road?—A. They merely went back.

Q. I know they went back, but why did they go back; would it take twenty men to give the information to Simon that you desired to give?—A. No, sir; I could have given it alone.

Q. Well, why did they go?—A. Simply to be along in my company.

Q. They went out of their way four miles to accompany you to Simon's?—A. Yes, sir.

Q. Had you any warrant for him at that time?—A. I had none, sir. I told him I had none. I told him I had no right to arrest him or trouble him, but I was there merely to advise him for his own benefit and for the benefit of the community.

Q. Did you tell him or did he know that you had that number of men in the road?—A. No, sir; I never told him anything about the men.

Q. Were you armed at that time?—A. Only as usual; I had a pistol.

Q. I do not know how you usually are armed.—A. I am usually armed with a pistol.

Q. Well, were you at that time?—A. I was, sir.

Q. Was Evans armed at that time?—A. I think he was, sir.

Q. Did you go into Simon's house?—A. I and Captain Evans did.

Q. Did he ask you to come in?—A. No, sir; the door was open; there was a big fire in the house; we merely walked in.

Q. What conversation did you have with him when you went in?—A. When we first went into the house we asked where Simon Crawford was—"Where is Simon?" And Simon says, "Here am I; what do you want?" Says I, "We merely want to see you, Simon, to talk with you." He says, "Well, what do you want?" I says, "We merely want to see you and to talk with you; no harm." And about that time Captain Evans accosted him. Says he, "There is no harm intended, Simon; we just merely want to talk with you." And Simon ran up into his loft and asked his wife where his gun was.

Says I, "Simon, there is no one going to trouble you. If you want anything to shoot with, I will give you my pistol." I had taken my pistol out just that way, and pulled the cylinder out of it, (I did not know what he might do;) and I offered to give it to him through a

crack. He refused to take it, and then Captain Evans, I believe, offered to give him his pistol. He still refused to take it, but remained there while we talked with him and tried to prevail on him and show him there was no harm intended; and finally he concluded he would come down, and he came down unarmed. There was no pistol in my hand, nor Captain Evans had none in his.

Q. You had one in your pocket, though, and Captain Evans had one in his?—A. Yes, sir. He came down and talked with us. I told him that I had understood that he had a company for the purpose of killing the women and children and burning the property of the citizens in that neighborhood. He said it was false, and said he had a club there, but that the object of the club was simply this: for the purpose of raising funds to get merchandise, in order that they might have something to feed the poor next summer. That is exactly what he said. Then, said I, "Well, Simon, if that is the case, you are perfectly justifiable. I am glad to know that the report that is against you is false." He says, "It is certainly that way." Captain Evans also told him that he was glad to know it was false, and that he was justifiable in acting in that way.

About that time, I think, we began—that is, we concluded—to leave; I don't know whether Captain Evans did or not; I don't think he did; but I shook hands with Simon, and we parted as friendly as we ever parted.

Q. Was Evans at that time the captain of a rifle-club?—A. Yes, sir; he was captain. I don't know whether he was captain of a rifle club, or what it was; it was a democratic club up there. I suppose he was head one of the club. I don't know if he did not belong to the rifle-club at Marion, which was chartered.

Q. Were the men who were in your company at that time members of the Evans club, whatever you call it?—A. There was some of the men that was with Captain Evans belonged to his club.

Q. Did not all of them?—A. No, sir; they did not.

Q. Were the men that were with you at that time armed?—A. No, sir.

Q. Not any of them?—A. They might some of them have had pistols; as a general thing men do carry pistols these days, as you are well aware. I don't know whether any of them except myself and Captain Evans had any or not.

Q. Give the names of the men who were with you and Captain Evans at that time.—A. I don't know whether I can do it.

Q. You can give some of them.—A. There was Mr. Wiggins—

Q. Give his first name.—A. Mr. Calvin Wiggins, I think. There was another man, Mr. Nathan Evan, I believe. There was Mr. Ingraham. There was Mr. Byron Campbell, the same one that was bound over at the United States court. Really I have forgotten the other parties.

Q. Did you request these men to accompany you to Crawford's in some way?—A. I don't know that I did, sir. I may have said, "You all go back with me, as I have been requested to go." There was nothing binding in regard to it.

Q. No; there was nothing binding, but did you not ask them in some way?—A. I may have done it; I don't remember whether I did or not. It is probable that I did.

Q. Did you request Evans to go with you?—A. I think I did, sir.

Q. Do you know?—A. I think he and I were both requested at the same time to go there, he in company with me; it was spoken at the

same time—the party who was requesting me to go thought that had some influence over Simon, and that I could prevail over him to stop that thing.

Q. What time in the evening did you reach Simon's house?—A. It was some time after dark.

Q. Then both times that you went to his house you went there after dark, did you?—A. Yes, sir; both times after dark. It was useless to go in the day-time the last time. The first time, of course, we merely went to see him, and the last time we went to make an arrest.

Q. The first time you went on a friendly visit?—A. Yes, sir.

Q. He did not seem to think that it was very friendly, though?—A. Really at first he did not, but he finally came to the conclusion that it was.

Q. He took refuge in the loft when you went there?—A. Yes, sir; when we first went there he went into the loft.

Q. Are you captain of a club in that county yourself?—A. Not of a rifle-club.

Q. Of any club?—A. I am first vice-president of a club.

Q. When were you elected sheriff?—A. I was elected on the 16th of October, 1872.

Q. For what length of time is the sheriff elected?—A. For four years.

Q. By which party were you elected?—A. By the republican party, sir.

Q. Do you know of the shooting of Minor Crawford?—A. No, sir; I did not. I did not know there was such a man even shot. Keit Crawford was the one that I saw. I really did not shoot the boy to hurt him.

Q. Merely for the fun of it?—A. No; it was not simply for the fun of it, but it was merely to stop him. I thought if I shot him he would stop.

Q. You shot him through the thigh?—A. I don't know whether it was through the thigh or leg. He was down at the court-house a week after that, and I saw him walking about there.

Q. Your object was simply to stop him?—A. That was my object.

Q. Your posse were on horseback there, were they not, at the time?—A. No, sir; they were not on horseback.

Q. Well, they had horses there?—A. No, sir; their horses were not there.

Q. How far were they from there?—A. I believe a mile away from there, or a mile and a half.

Q. You went in a stealthy manner up to his house, did you?—A. Yes, sir; we went up as easy as possible, in order to find him if he was there.

Q. How many men were in your posse at that time?—A. Seven besides myself.

Q. You thought it was necessary in order to stop that boy that you should shoot him when there were eight men with you?—A. There was none of them but me, standing there alone, because the others were all working to assist this wounded man in my posse. I was standing in the lane alone with him.

Q. How far from you were the other men?—A. I suppose they were some ten steps in the rear of me.

Q. Did you attempt to catch the boy before you shot at him; did you run after him?—A. No, sir; I told him to stop, and hollered, but I don't think that I ran after him—yes, sir; I did run, and I did not shoot until I got to the gate. I did not care about going any farther down there, because I knew that those parties had gone in that direction, and I had

no idea of going there alone after hearing the threats that had been made.

Q. Were you intoxicated when you went to his house?—A. I was not, sir.

Q. Are you in the habit of drinking to excess?—A. Sometimes, but not when on business.

Q. Were you intoxicated upon either occasion when you went to his house?—A. No, sir, upon neither occasion.

Q. Had you been drinking that day before you went there?—A. I had been drinking some cider, and cider was all we had been drinking; very little of that.

Q. Had you been drinking on Tuesday when you went there?—A. I think I drank a drink or two of wine that evening.

Q. Did you shoot into his house at any time?—A. No, sir; his house was not shot into at all.

Q. Did you shoot into his barn or outhouses?—A. I rather think the barn was shot into, sir. After the first fire from the house I think some of the boys fired, but who it was I don't know.

Q. How many negro men did you see there at that time on Tuesday night?—A. I don't know the number. There was quite a number of them there, though.

Q. You stated that as you were approaching— A. There were three or four going toward this barn, and there were several others in the yard. We had to go out of the house-yard across the lane, then go across some little distance, some fifteen or twenty steps, from the lane to get to this barn, and they were between the lane and the barn when we ran toward them. When we ran up on them some of the boys halted, and they had got to the barn-door and were going in; and when they had all gone in, and when we ran up, just then some of the boys yelled, and about that time they fired into us from toward the yard. How many guns or pistols were fired I am not able to say.

Q. What is the object or purpose of the club of which you are captain or vice-president?—A. It was a democratic club, for the purpose of keeping everything properly organized for the benefit of the campaign, and so on.

Q. When did you attach yourself to the democratic party last?—A. Well, I have always been recognized as one in the county.

Q. Were you recognized as one when the republicans elected you?—A. I don't know that I was then, sir; not by—I did not claim right at that time to be neither a democrat or a republican; and the republicans, of course, elected me as a republican, though I was not a republican.

JOHN FREYER—AIKEN COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

JOHN FREYER (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Hamburg.

Q. How long have you lived there?—A. I have been there now two years first of this January.

Q. Where were you on the 8th day of July last, the day of the riot in Hamburg?—A. On the 8th day of July last I was in Hamburg.

Q. What time did you go to Hamburg that day?—A. I staid there. I came over from my work to Hamburg at one o'clock.

Q. One o'clock in the evening?—A. Yes, sir; in the evening.

Q. What white men did you see in Hamburg at that time?—A. Well, I seen a great many of them. I knowed some, and some I didn't know.

Q. You may give the names of those that you saw.—A. Yes, sir; from what time?

Q. From twelve to three o'clock.—A. Well, I saw General M. C. Butler for one, and R. J. Butler, and Henry Getzen, Tom Butler, and Charlie Glover.

Q. Glover was of Edgefield; he lives at Edgefield?—A. Yes, sir; he stops in Edgefield County; Tom Settle, he stays in Edgefield County too.

Q. Where did you first see Robert J. Butler and General Butler?—A. When I first saw them they came out of Mr. Damm's store, right there below the post-office in Hamburg, and got in a buggy there.

Q. Did you notice whether there were guns in the buggy or not?—A. They had side-arms, and Tommy, he had a gun and side-arms, and Mr. Getzen—

Q. Did you go to the trial at Hamburg that afternoon?—A. Yes, sir; I went there. I staid about on the street there till about betwixt three and four o'clock, when I went into the drill-room; I had tried to get to my house and get my coat, but the people told me if I was to go there I would be killed going there. They told me I better not go, and I concluded I would not go, and I went into the drill-room.

Q. Were you a member of Dock Adams's company?—A. Yes, sir; I was first corporal.

Q. You may state whether or not there were many white men on the street at the time when you went into the drill-room.—A. There was any quantity of them when I went into the drill-room; I didn't see how all came; I didn't see how they came there; I couldn't go to my house, and I went into the drill-room for protection. It was a good brick house.

Q. Were the white men on the street at that time generally armed?—A. Every one I saw was well armed.

Q. How did they appear, hostile or peaceable? Say what they were doing.—A. They were just riding from one place to another, and they looked like they were quite angry, to me.

Q. You may go on and tell what you saw and what was done there.—A. So I went into the drill-room, as I went on to tell you, and I was up there sitting in the window, and I seed a good many of them passing backwards and forwards, and a man came there and told the captain that they were ready for trial; and the captain told them that he felt his life would not be safe if he were to go among all them armed mens, and he didn't propose to go. I says, "Captain, I don't like the looks of things." He says, "Just make yourselves easy and stay right in here;" and we all made ourselves easy and peaceable. Well, late in the evening the answer came, "The general says we must give up our arms."

Q. General Butler?—A. Yes, sir; said he would give us fifteen minutes to give up our arms. Well, fifteen minutes rolled around, I suppose. There was five mens over on the river-bank, mounted men on horses, and he rode around to them—

Q. Who did?—A. General Butler. He came from down the street, horseback, and he stopped within about fifteen yards of the corner of

the drill-room, Sibly's building, and he turned his face toward these other five mens, and he gave them a signal.

Q. What sort of a signal?—A. He sort of motioned his hand; and they all rode right off, and went on down toward the Augusta bridge, and shortly after that I seed a great crowd of them on the street.

Q. White men?—A. Yes, sir; coming on the river-bank with their guns, there at the pillar of the Charlotte, Augusta and Columbia Railroad bridge there, and there was just as many as could get behind the pillar there, and a good deal more; there was a big tree down by the river, and as many as could get behind that tree were there, and the street was just filled full as it could hold of them; and some of them commenced firing.

Q. Where did they commence firing from?—A. From behind that rock pillar.

Q. You mean the abutments there?—A. The abutments there; the abutments of the bridge.

Q. Had any shots been fired from the drill-room?—A. No, sir; we all were that scared we couldn't shoot from the drill-room; they shot so rapid till we all just got betwixt the windows and got behind there, and they fired so regular they shot all the window-glass out and nobody could get to the windows.

Q. Tommy Butler testified here that the first shot was fired from the drill-room. What I want to get at is who fired the first shot. A. Well, sir, I know the first shot were fired from the abutment of the bridge; I is sure of that, for every man in there was too scared to get up to the windows; and the orders was from the captain for every man to hold his place, and get from in front of those windows; if they didn't they would be shot.

Q. How long did the white men continue to fire before any shots were fired in return?—A. The sun was a little better than a quarter of an hour high, to my recollection, and they fired from that time until the sun got down in the trees.

Q. How long was it; a quarter of an hour or a half an hour?—A. About a quarter of an hour or better; they fired on the drill-room there right regular.

Q. How long did the firing continue there between the drill-room and the men outside?—A. Well, they fired in there until the sun got down in the trees; and one or two men, I think, shot from the drill-room. There wa'n't many guns in the drill-room. We all had our guns at home. I know my own gun was not there, it was in my house.

Q. About how many guns were in the drill-room at that time?—A. There was about thirty-five or thirty-seven, as near as I can recollect, in there.

Q. What time did the men leave the drill-room?—A. Well, we staid in the drill-room until near about six o'clock. Well, the captain said he heard some one say to go and fetch a piece of cannon, or something like that; and he said, "Now we is going to be destroyed right away, and you had better listen to me and let's get out of here. I will fix a way for us to get out, and I want every one to get out, and I don't want a man to stay in here. If you do, the last one will get killed." And he went and fixed a way for us to get out the back way, and we all went down out the back way, and some of them went in Mr. Schiller's printing-office; and I was one that went in there myself, and Mr. Attaway and two of the men. We came out one by one, and before all the mens came out Mr. Attaway took a crowd of men, from being frightened, and went right toward the white people, and they all squandered, and they all began going in the houses, and so on,

and as many as was left there kept there together until the captain came, and we took them and went inside Mr. Schiller's printing-office, and there I staid until they captured me. They came in, and I were in there under the counter. The captain and the others went off, all that hadn't went with Attaway.

By Mr. CHRISTIANCY :

Q. But he went off and left you there ?—A. O, yes ; I aimed to run out the other door, and when I opened the door I see'd so many of them on the street, and says I, "Boys, let's run out ;" and he says, "If you do, you will get killed ;" and I went back and shut the door, and they all went out the back door, and I dropped back under the counter in the printing-office, and there I staid until they broke the door down and came in.

By Mr. CAMERON :

Q. What men came in ?—A. White men ; just as many as could get in ; and I knows two of them, and they commenced breaking up the things there, and I was under the counter, and one piece of a machine flew over there and struck the wall and bounded back and it looked like to hit me, and I poked my head out and some of them saw me, and one of them yelled, "Here's a God damned son of a bitch ;" and I says, "I surrender ! I surrender !" and one of these men was a man what stays on R. J. Butler's plantation, and the other that I recognized was Tom. Settle. I knows him well, because we lived nigh neighbors for a year or two. I recognized them there when they came in. I asked them for General Butler ; I said, "Where is General Butler ?" He says, "Who is this ?" I says, "John Freyer."

Q. Who said that ?—A. Tom. Settle, the man that I was talking to when they had me dragging me on out. I kept asking, "Where is General Butler ?" and he says, "Who is this ?" and I kept saying, "John Freyer," and he looked down in my face and he says, "God damn you, you are one of Dock Adams militiamen ; we will fix you to-night." And I asked him, "Please send General Butler to me, if you please ;" and he says, "You go to hell ; we are going fix you pretty soon." They throwd me in the dead-ring, and they moved it from there when they got all that they could catch, and carried us to the South Carolina Railroad then the—Charleston Railroad—about fifteen yards from the platform there where you get on to take the train, over on the Hamburg side.

Q. What other colored men were in the "dead-ring," as you call it, at that time ?—A. Myself, Willis Davis, Harry Mays, Pres. Jefferson, Brown Anderson, Allen Attaway, Hamp. Stevens, Albert Minyard ; and, let's see who else—Dave Phillips ; well, I was not acquainted with all there was ; a good deal of them there were boys, I could not call all the names of them. I did not know all the names of them nohow, what were there ; but all that you heard me call the names, I knowd all of them ; and Mr. Cartledge, Louis Cartledge, and Spencer Harris were there ; and Aleck Martin were there. I knowd all them that were there ; and Frank Robinson, he were there. Well, they is as many as I can recollect now.

And so, after that, there was just as many white people around there as could get around there, fifty or sixty, guarding us ; just as many as could get around us. They were there as thick as hail around us ; and some would not allow us to talk and some would allow us to talk, and we begged for ourselves ; and they told Attaway, "You are the magistrate, I suppose ; you is a damned nice looking magistrate ;" and they said, "We will fix you, we are going to kill you to-night, sure, without

a doubt." Attaway said, "Gentlemen, I am not ready to die, and I ain't did anything to be killed." Said he, "Please let me pray;" and he said, "Damn you, you ought to have been praying before now; you have talked enough without praying; we is going to kill you." Then he commenced begging for hisself, and going on, and Mr. Getzen came and said, "Attaway, is that you, old fellow?"

Q. Henry Getzen?—A. Yes, sir, Henry Getzen; and he says, "Damn you, we will fix you directly." Attaway said, "O, Getzen! Getzen!" says he, "What do you want with me?" and he says, "Do all you can for me." Says he, "Yes, God damn you, I will do all I can for you; I will do it in a short while; I will fix you now in a short while, damn you;" and he went off, and in about a minute's time he came back with Tom Butler and some others, and they just took Attaway right up and carried him across the railroad in a little oat-field, right on the other side of the railroad, and I heard the shooting, and so on.

Q. Now, what white men did you recognize around the dead-ring when Getzen was talking to Attaway?—A. Well, I recognized Tom Settle, and Henry Getzen, and Tom Butler. I recognized them well, and there was a good many more there; there was a good deal more, but I can't call up the names; I just want to call them names there, but I can't; I know them well.

Q. You can state whether or not you recognized General Butler?—A. O, he was not there then. If he was there he didn't show himself to me there.

Q. Well, go on and state what else occurred.—A. Now, before this, the general, he came to the ring——

Q. General Butler?—A. Yes, sir. He says, "Is Willis Davis in this ring?" and Willis says, "Yes, sir;" and he says, "You are the damned rascal that burned my house down, you damned son of a bitch." That was his answer to Willis; and he went off, and I didn't see him no more after that.

But, as I was going on to say, after we got there, after they took off Mr. Attaway and shot him, they called for David Phillips—well, we was begging and going on mightily, and Dave—I was sitting right down behind Dave—he says, "What is you all begging so? If they are going to kill us all anyhow, what is the use of begging so?" That was Dave. And they taken Dave out and I heard shooting. And they came back and called for Hamp. Stevens; and they taken him out and shot him down just across the railroad. And they came back and called for Albert Minyard. They called a good while, and Albert would not know his name; and they came inside the ring and hunted for him, and touched all of them in the ring before they could find Albert.

Q. The white men were there hunting for Albert?—A. Yes, sir. I didn't know those that was hunting; I didn't know them nobow. One man went all through the ring, and he touched all of us on the head and asked, "Who is that." And when he came to Albert, Albert owned his name, and he said, "Get up from here, we have been hunting for you;" and they taken him on, and they carried him over the same fence where they had gone with Attaway, and we heard them shooting. And they came back, then, and called Pompey Curry; and when they called for Pompey, Pompey jumped and ran, and they shot at him several times, and they said that they had done killed him, and we supposed that Pompey must have got killed in running. They said that they had killed him, and they all burst out a laughing; and they said, "What better fun do you want than that, by God." And then some of them said, "No; we don't want no better fun, by God; this is fun;" just that

way they said. "Well, now, what will we do with the rest of them?" Some says, "By God, let's pile them up like frogs and shoot them;" and another gentleman says, "O, no; you have done enough to-night; now let these prisoners go;" and another one spoke up and says, "Let these damned niggers go? O, no; we ought not to leave none to tell the tale; let's kill them all; don't leave none to tell the tale;" but the other one said, "O, no; let's let them go." And some of the others says, "Let's let them go and shoot after them;" and he says, "Don't do that; just let them all go, and don't shoot after them." The other one said, "By God, let's let them go, and let's shoot after them like rabbits." One man, he said, "Let's swear them before they go not to tell anything;" and they made us get down on our knees, and they swore us that we would not ever bear witness against any one. We had to swear it before they told us to go, and every one sprang up and ran as hard as he could, except me and another fellow. I never was much of a runner, and I just got right in the center of the row of China trees with my arms right down by me, and they were shooting just like they were shooting at birds; and this man, he jumped out and he started to run, and I says, "Don't run, for you will get shot;" and they commenced shooting; and one fellow jumped off and run about fifteen steps before me, and he got shot right in his arm—Willis Davis did; and I caught up with him, and he says, "I'm shot, sure enough;" so he quit running then, and we all went on home.

By Mr. CHRISTIANCY:

Q. What time in the night was it when they came there with the cannon, or when you understood the cannon was coming?—A. I don't know, sir.

Q. Well, some time about dark?—A. O, yes, sir. You know I was scared, and I was in Mr. Schiller's printing-office when they were shooting—when they were shattering on the house with the cannon.

Q. You had got out, then, before the cannon got there?—A. O, yes, sir; we all were out.

Q. It was after dark when you got out of the building?—A. Yes, sir.

Q. About nine or ten o'clock; somewhere around there?—A. O, no, sir.

Q. You can't tell the exact time?—A. No, sir; I can't tell no exact time. I was trying to hide myself for safety, then.

Q. How long do you think they had been shooting at the building and into the windows before there was any shot returned from the building?—A. Near a quarter of an hour.

Q. Capt. Dock Adams, after he went with you to the printing-office, went away from there?—A. Yes, sir; he made his escape after he went out there.

CROSS EXAMINATION.

By Mr. MERRIMON:

Q. Who killed the young white man, Merriwether?—A. I do not know, sir.

Q. He was not killed from the house, was he?—A. I don't know where he was killed.

Q. You did not fire but two guns from the house?—A. I don't know how many; I don't think they fired more than once or twice from the house.

Q. Do you think they fired at all from the house?—A. Yes, sir, I think they did; I think they fired once or twice from the house.

Q. Did you see anybody fire from the house?—A. I heard a gun; I was lying down behind the wall, and some of the boys said, "Don't go up to that window." It was getting dark, then, and some of them got up to the window and fired, but I don't know who it was; it was at the upper window there.

Q. You don't know when Merriwether was killed?—A. No, sir; I do not.

Q. Really, you do not know who it was fired the first gun, do you?—A. I know a gun was fired from the abutment of the bridge.

Q. How do you know, when you was scared so badly?

The WITNESS. How do I know?

Mr. MERRIMON. Yes, sir.

A. They fired right in the window where I was lying.

Q. Were there any men on top of the house above you?—A. Yes, sir.

Q. Who was up there?—A. I don't know; I think Frank went up there.

Q. Frank who?—A. Frank Robinson and, I think, Jim Cook were up there.

Q. Who else?—A. I don't know who else except Jim and Frank.

Q. They were on top?—A. Yes, sir.

Q. On the next story above you?—A. Yes, sir.

Q. How many were up there you do not know?—A. No, sir.

Q. Did they have their guns up there with them?—A. I don't know whether they had or not.

MEYER WELDON—EDGEFELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

MEYER WELDON (colored) sworn and examined.

By Mr. CAMERON :

Question. Where do you reside?—Answer. I reside in Edgefield County.

Q. How long have you lived there?—A. I have been residing in Edgefield County all my life.

Q. How old are you?—A. I am about thirty-two.

Q. How far from Edgefield Court-House do you reside?—A. Three miles.

Q. Where were you on the day of the last election?—A. I was at Edgefield Court-House.

Q. What time did you go there in the morning?—A. I got there about six o'clock.

Q. Which box did you first go to?—A. I went to No. 1.

Q. At the court-house?—A. At the court-house.

Q. You may state what condition you found affairs in when you got there, go right on, and state what you saw and heard.—A. When I got there the box was so crowded—it was set to be under the court-house; that was the way the commissioners said where it was to be, but it was up in the court-house. Well, I waited a good while. Mr. Butler came down and said to the commissioners that all would get a chance to vote after a while, and he thought his men had the right to vote first, as we had been voting first all the other times before.

Well, I waited until about ten o'clock, thinking I would get a chance to vote. Well, I didn't see no chance, and I was trying to get a chance to

vote. I was crowded away from the box by the red-shirts, and they said we couldn't vote there until they got through.

After a while the marshal got a file of his men and he carried them over to box number two, and I went on too. I staid there until about half past three, and Senator Cain came and said that there are about four or five hundred of the colored men who had not had a chance to vote there. It was getting late in the evening, and says he, "You can all go back to the court-house and vote." Then I turned and went back to the court-house, and when I got within about one hundred and fifty steps of the court-house General Butler he had a file of the red shirts on horseback across the street. I taken the road to the right and went down to Senator Cain's house, and there I met Mr. Sheppard and he asked me if I had voted, and I told him "No, sir; I hadn't voted yet." He says, "Are you certain you hav'n't voted?" And I says, "No, sir; I hav'n't voted." And I showed him my ticket. He said, "If you will come with me I will make room for you." I was gladly enough, and said so because I wanted to vote, and I followed him about fifty or sixty paces to the court-house, and in that time the red-shirts was crowded on the stairs and up into the court-house; and General Butler says, "Have you not voted?" And I says, "No." And he says, "If you hain't voted, you can't vote here; damned if I don't have a couple of rounds now before you can vote." Then I turned around and went back to the school-house again. I wanted a chance to vote. I saw it was impossible for me to vote there without being mobbed, and I turned around and went back to the school-house. I staid there till after six o'clock in the night; then I came on down to Mr. Cain's house, and he says, "Did you vote?" and I says, "No, sir." "Well," says he, "go on home; you have done your duty." And that time I met a crowd of red-shirts with their hands locked together, and they was there in the street and they hollered "Hurrah for Hampton!" But I made on and never stopped; I made on home and got out of the way, because I knowed I was not prepared, and didn't even have a pistol nor a stick; nothing at all.

Q. You did not vote yourself?—A. No, sir, I didn't vote; it was my determination to vote; but in the mean time I was asked if I would vote the democratic ticket they would let me vote.

Q. Who asked you that if you voted the democratic ticket they would let you vote?—A. Several of them said that.

Q. Several of the white men?—A. Yes, sir, several of them said that I could vote. Mr. John Swaringen came up to me at the school-house and said, "If you vote the democratic ticket, you can go in and vote," but I told him "No; that I would rather vote my ticket." So after six o'clock I made my return.

Q. Is there anything else that you have to say?—A. No, sir.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Why did you not go on up with Mr. Shepherd and vote?—A. The reason I didn't go with him, after we got up between Marsh's store, about sixty spaces from the court house, where I was telling you, there came along his brother, Scott Sheppard, and said to him, "These men have voted over to the school house," and they said, "No, we hain't," and then he said to his brother, "Johnny, what have you got to do with it?" and then Scott Sheppard pulled out his pistol, drewed it, and that time Mr. Cain called us back; and then he was down to the United

States marshal, talking to him, and he called us back, and then he sent us again to vote; I couldn't do it, because when Mr. Sheppard drew his pistol we didn't have a thing.

Q. Which Mr. Shepherd was that?—A. Mr. Scott Sheppard.

Q. Not the lawyer?—A. No, sir, not the lawyer; he was the one that was carrying us.

Q. He told you to go with him and you should vote?—A. Yes, sir; but after we got there, just after his brother said, "You have nothing to do with it anyhow," he turned around and said, "I don't know if they hav'n't voted;" and then we squandered back.

Q. Did not some of the crowd with you vote at box number two?—A. No, sir, not as I knowed; I do not know that.

By Mr. CAMERON:

Q. You know you did not vote?—A. No, sir; I am certain I didn't.

By Mr. MERRIMON:

Q. Whether a good part of that crowd that was with you had voted or not, you do not know?—A. No, sir.

Q. You are sure you did not vote?—A. I am sure I didn't vote.

DOCK MARTIN—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 18, 1877.*

DOCK MARTIN (colored) sworn and examined.

By Mr. CAMERON:

Q. Question. Where do you reside?—Answer. In Edgefield County.

Q. How far from the court-house?—A. About seven miles.

Q. Are you a republican?—A. Yes, sir.

Q. How long have you lived in Edgefield County?—A. I was born there.

Q. How old are you?—A. About twenty-seven years of age.

Q. What office did you have in connection with the last election?—A. I was supervisor of election at Red Hill precinct.

Q. What time did you go to the polling-place on the morning of the election?—A. I arrived there very soon; I could not see hardly when I got there.

Q. Well, now you may go on and tell what condition you found affairs in when you got there.—A. When I got there Red Hill was surrounded, in the place where the poll was to be opened, with democrats, and as I walked up there was a gentleman by the name of B. T. Nimms walked up and slapped me on the shoulder and told me that they were going to mob me. At that time they commenced clustering around me, and I went off from Red Hill.

Q. Who commenced clustering around you?—A. The democrats.

Q. And this man, whose name you have given, said that they intended to mob you?—A. Yes, sir.

Q. What else did they say, if anything?—A. They didn't say anything, only they wouldn't let me get to the box; they crowded the box, you know, and I had to leave. I left for fear; I knew my life was in danger.

Q. How many white men were at the box at that time, as near as you

can judge the number?—A. I don't know, sir. I suppose there was near one hundred around it.

Q. Were they armed?—A. Yes, sir.

Q. With what weapons were they armed?—A. They had their pistols around them. Some of them, when they came there, clustered around me. They had their pistols in their hands.

Q. Where did you go after you left Red Hill?—A. I went to Edgefield.

Q. To the court-house?—A. Yes, sir.

Q. Well, now you may tell what happened at Edgefield after you got there.—A. I went there and tried to vote at box No. 1, and I couldn't do it, and I went to box No. 2. Lawrence Cain, he sent for us to come down to box No. 1, and said we could vote there, and I started down there again, and General Butler turned us back.

Q. What did he say?—A. He said that we had the box at No. 2 all day, and that we should not have box No. 1; that they proposed to keep it in charge.

Q. How many republicans were in the same crowd that you were at that time?—A. Well, I think that there were about four or five hundred came from box No. 2.

Q. Where did you go then?—A. We staid there a good while, and we got twelve and tried to go and vote, and they couldn't vote; and the United States marshal taken me and carried me in to box No. 1, and I voted.

Q. You may state whether or not the red-shirts were pretty numerous in the street, and tell us how they behaved at that time.—A. Well, they all hollered and hurrahed and cursed, and went on all the time; and they were right up and down the streets, with their guns swung to them.

Q. How far is Red Hill from the court-house?—A. It is about thirteen miles, I think, if I am not mistaken.

Q. If you were supervisor there why did you not stay there and attend to the business?—A. Well, I loved my life better than I did anything else.

Q. You were afraid that your life would be taken?—A. Yes, sir.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. How many republicans voted at Red Hill?—A. I don't know, sir. I left there.

Q. You left?—A. Yes, sir.

Q. Were no colored people voting up there?—A. I don't know that they were.

Q. Any there when you went?—A. O, Lord, yes, sir; a large crowd went with me; about thirty or forty went with me.

Q. Did they all leave with you?—A. Yes, sir; came back to Edgefield.

Q. Came back thirteen miles to Edgefield?—A. Yes, sir; thirteen miles.

Q. Was there any deputy marshal there?—A. Yes, sir.

Q. A majority of the poll-holders were republicans?—A. Yes, sir.

Q. Which party had the biggest crowd, the whites or the blacks?

Mr. CAMERON. When you left.

A. Well, I don't know, sir; that is hard for me to say, which had the biggest crowd.

Q. (By Mr. MERRIMON.) Could not you tell by running your eye over

it; were the men scattered all about?—A. They were scattered about every which way.

Q. Any soldiers there?—A. No, sir.

Q. Who appointed you supervisor?—A. The United States, I suppose. I had my commission.

Q. Do you know how you got it?—A. It came from Charleston, I think.

Q. Did you know anything about your duties as supervisor, what you had to do there?—A. It was to preserve the peace.

Q. You are sure of that, are you?—A. The supervisors' duty was to reject anybody from voting that they didn't know had a right to.

Q. What was your duty as supervisor?

The WITNESS. What was my duty?

Mr. MERRIMON. Yes, sir.

Mr. CAMERON. What did you expect to do that day if you had been let alone?—A. I expected to have staid near the box, or somewhere where I could see that it was a fair election.

By Mr. MERRIMON:

Q. That was your duty, to stay near the box and see that it was a fair election?—A. Yes, sir.

Mr. CAMERON. You may go out now.

The WITNESS. I am not quite through; they offered me \$3,000 to carry that township for them.

Q. Who did that?—A. The democrats.

Q. Who offered it to you? Tell us what they said to you.—A. Mr. Hammond, he told me that if I would carry the township that they had the money there to give me \$3,000.

By Mr. MERRIMON:

Q. Which Hammond?—A. I don't know his other name; I know him very well.

Q. Where does he live?—A. He lives at the place that Buck Morris—William Morris—used to live at.

By Mr. CAMERON:

Q. What did you say to him?—A. I told him that I couldn't do it, because I always had been a republican and I expected to remain so; I didn't believe in voting a democratic ticket one time and a republican once.

By Mr. MERRIMON:

Q. He did not show you the money?—A. No, sir; he said they had it in the treasury; he did not tell me who was the treasurer.

Q. Three thousand dollars could not buy your vote?—A. No, sir.

By Mr. CAMERON:

Q. Is your town a republican town; is there a majority of republicans in it?—A. Yes, sir; always have been so.

Q. How was it at the last election?—A. I think they beat something like three thousand.

By Mr. MERRIMON:

Q. They beat you three thousand at that box?—A. No, sir; I was speaking about in the county.

Q. Did you not agree, for \$3,000, to carry your box for them, and they would not pay you after it was over?—A. No, sir; I never has made no promises with them, no way.

Q. You didn't agree to do it?—A. No, sir.

Q. You are sure about that?—A. No, sir; I never made no promises no way.

By Mr. CAMERON:

Q. Is there anything else you desire to state?—A. No, sir.

WILLIS ADAMS—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

WILLIS ADAMS (colored) sworn and examined.

By Mr. CAMERON:

Question. Where were you on the day of the last election?—Answer I was at Edgefield Court-House.

Q. Which poll were you at?—A. At the school-house.

Q. Now, what happened to you on that day?—A. I got a lick struck on the head, right here. [Pointing to a scar on the left-hand side of his head.]

Q. Who struck you over the head?—A. John Swaringen.

Q. What were you doing, or trying to do, when he struck you?—A. I was trying to get into the house to cast my vote.

Q. What did he say to you when he struck you?—A. Well, they were all crowding up, trying to get in, and he told me to stand back, that I could not crowd there; that he would knock my damned brains out if I didn't stand back.

Q. The man that struck you was a white man and a democrat, was he?—A. He was a white man.

Q. Did you see any colored men struck as you were?—A. No, sir; I seed some though that were struck, but I never seed none struck dar dat time.

Q. Did you vote?—A. Yes, sir.

Q. Did you go in at that time to vote?—A. I was going in then, and after the lick was struck I went in.

Q. What time of day was that?—A. Well, it was 'bout twelve o'clock, I reckon.

Q. How long did you stay at the polls after that?—A. I can't exactly say.

Q. You went home?—A. Yes, sir; I was going in the house den, and I never staid there more than an hour after that.

Q. Do you live at Edgefield Court-House?—A. No, sir.

Q. How far from the Court-House do you live?—A. Nine miles.

GEORGE GILES—LAURENS COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

GEORGE GILES (colored) sworn and examined.

By Mr. MERRIMON:

Question. Where do you reside?—Answer. Laurens Court-House.

Q. How old are you?—A. About forty-six years old.

Q. What is your business?—A. House-carpentering.

Q. To what political party do you belong?—A. Well, I have been acting with the republican party all the time up to the last election.

Q. Where were you on the day of the last election?—A. I was at Laurens Court-House.

Q. What ticket did you vote there?—A. I voted a mixed ticket; I voted for Hampton and all the rest of the democratic officers, except one republican; that was a man named Patterson.

Q. Were you compelled to vote that ticket?—A. I did it in free will.

Q. What sort of an election did you have there; was it quiet or otherwise?—A. Yes, sir; as far as I saw at Laurens; I live right near the Court-House, and I came down, as near as I can guess at it, 'twixt seven and eight o'clock from my house, and everything was quiet there at that time, and from that time we had no disturbance at all.

Q. Do you know of any colored democrat being abused in any way by colored republicans?—A. No, sir; I don't know of any.

Q. Do you belong to a democratic club?—A. Yes, sir.

Q. Do you know whether any of the men that belonged to it were forced to join it?—A. I don't know of any at all that belonged to the club; there was not but very few in the village that belonged to it, and I believe that they just done it of their own accord.

Q. Do you know of any intimidation about there in your county in any way?—A. None that I know. I lived right in the village and never went out much; never went 'round to any of the meetings in the country, or anything of that sort. I attended to my business as carpenter. I did not have anything to do with any of the meetings about through the country.

By Mr. CAMERON:

Q. How long have you lived in Laurens?—A. I was born—going on forty-five years; been there ever since.

Q. How long have you worked at the house-carpentering business?—A. Since two years before the war. I worked two years in Newberry County, and then I have been in Laurens ever since.

Q. Who employs you mostly, republicans or democrats?—A. Democrats; there is no republicans there that has any work to do to employ me.

Q. The democrats furnish you with nearly all the work that you have?—A. Yes, sir.

D. B. COTTON—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

D. B. COTTON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. At Edgefield Court-House.

Q. How long have you lived there?—A. The 10th of this month I will be there two years exactly.

Q. Where did you live before going to Edgefield?—A. At Xenia, Greene County, Ohio.

Q. How old are you?—A. Twenty-two years of age.

Q. Where were you on the day of the last election in Edgefield?—A. I was in Edgefield County, at box No. 1.

Q. What official connection did you have with the election?—A. I was clerk of the board of managers.

Q. Do you know where the managers designated that the box should be placed at No. 1?—A. Yes, sir; it was designated to be placed under the arch of the court-house.

Q. Was it placed there?—A. No, sir; it was not.

Q. Why not?—A. For this reason: Mr. Arthur Glover stated—

Q. Who is he?—A. One of the democratic managers and a white man. He stated that he was not going under there himself; that he was going up-stairs with the box.

Q. Who carried the box up-stairs?—A. He carried it up there himself.

Q. Do you know whether the court-house was taken possession of by the democrats the night before the election?—A. Yes, sir.

Q. State what you know in regard to that.—A. Well, on the 6th—that was Monday night—they broken open the front door and went in, and they also carried a violin up there, and frolicked until about twelve or one o'clock that night.

Q. You may state whether or not they remained in the court-room.—A. A portion of them remained there all night, but some of them came out before daylight on the street. Some slept there all night.

Q. Do you know whether or not fire-arms were stacked in the court-room or court-house by the democrats?—A. About ten o'clock I went into one of the back rooms and I observed a few guns there.

Q. Ten o'clock on the day of the election?—A. Yes, sir.

Q. How many guns did you observe there?—A. About four.

Q. What kind of guns were they?—A. Well, in fact I don't know the names of the guns they have here. I could not say. I don't know whether they were one-shooters or sixteen-shooters, or what.

Q. Which party commenced voting first at poll No. 1?—A. The white parties—the democrats.

Q. You may state whether or not they took possession of the box, and, if so, how they conducted themselves.—A. In the morning, when I arrived there at the court-house, there was a condensed ring formed around the court-house, of men on horseback, and there were several on the court-house steps, jammed up completely; and when Mr. Glover and myself went up we went in and closed the front door, and I told one of the managers to ask Mr. Glover how many was coming up to be sworn at a time, and he said ten. Ten were sworn and voted, and three others were standing by, and they voted without being sworn.

Q. All white men?—A. All white men.

Q. How long did the democrats continue to vote there?—A. Until about eleven o'clock. From six to eleven they voted very rapidly, and after that about one or two or three or four would come in at a time.

Q. You may state whether or not the voting was scattering after eleven o'clock.—A. After eleven o'clock in the day it was scattering.

Q. Do you know whether or not the democrats took possession of the steps leading up to the court-room?—A. Yes, sir, they did, and also had a door-keeper there, who would stand there and let the voters in, and when they would come in he would close the door and hold the door-knob.

By Mr. MERRIMON:

Q. Who was the door-keeper?—A. Well, I don't know his name.

Q. It is strange that you do not know his name?—A. I didn't want to know his name. I am just telling you what I saw.

Q. But you know that he was a democrat?—A. I know that.

By Mr. CAMERON :

Q. You may state whether or not democratic speeches were made from the steps of the court-house during the afternoon of election-day ?—

A. Yes, sir ; about three o'clock they had a loud yelling there and I went to the window and saw what it was, and I observed four or five hundred voters coming from box No. 2, and there were men on horseback all around the court-house steps, and Mr. John C. Sheppard was speaking.

By Mr. MERRIMON :

Q. Is Mr. Sheppard a lawyer ?—A. Yes, sir ; at the Edgefield bar. He delivered a speech, and during that time the voters could not get to vote and they had to turn and come back to the school-house box again.

Q. How many votes, according to your recollection, were polled at box 1 ?—A. There were 627.

Q. How many colored men voted there according to your recollection ?—A. I presume there were about twenty-seven colored voters altogether, and about ten or fifteen of them were republican voters.

Q. What was there at any time during the day to prevent the republican voters from getting into the court-room and voting ? State generally.—A. Well, during the day some of them stated up there—I don't know who they were—some democrats stated that they had a box of their own at box No. 2, and that the colored people should go there ; that they should not vote at box No. 1. Several tried to go there to vote and they could not get up stairs ; they would not let them up there.

Q. If you were up stairs clerking how could you tell whether they could get up or not ?—A. I cannot very easily state that.

Q. If you can do so, tell us how it was.—A. I was about as far from the door as from this place to the door yonder in this room, and on each side of the door there was glass windows, and I could see the entrance of the court-house steps crowded all the time and this man holding the door.

Q. You could see out ?—A. Yes, sir ; I could see out from where I was.

Q. Could the managers see out also ?—A. Yes, sir ; they could see out too.

Q. Some have testified that they could not ; yet you could ?—A. Yes, sir ; I was sitting right where I could see out.

Q. The other managers could not ?—A. I don't know anything about that ; but I could see out, and they could see out if they had tried.

Q. You voted ?—A. I voted ; yes, sir.

Q. About twenty-seven colored people voted at that place ?—A. Yes, sir ; just about twenty-seven.

Q. Not more ?—A. No more, I think.

Q. Some one else has sworn that about one hundred voted there ?—A. Well, my recollection is that there was about twenty-seven.

Q. How many colored men voted the democratic ticket ?—A. About twelve ; as I told you, fifteen republican votes were in the box.

Q. That is the number that were in the box ?—A. Yes, sir.

W. H. GILCHRIST—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

W. H. GILCHRIST (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. Close to Liberty Hill, in Edgefield County.

Q. How long have you lived there?—A. I was raised there.

Q. How old are you now?—A. About twenty-four.

Q. You were a manager of the election at Liberty Hill precinct at the last election?—A. Yes, sir.

Q. You may tell us what occurred at the polls that day.—A. Everything went on very quietly on the day of the election. Everything was perfectly quiet, and I don't know of anything that occurred, more than that they voted two tickets—the democratic party did. Some of the tickets were folded, and when we went to count the tickets at night, we found a good many tickets in the box this way, [folding two pieces of paper to illustrate the manner in which the tickets were folded.]

Q. One ticket inside of the other?—A. Yes, sir; folded in that way; and when they voted them they would hold them sort of in this direction, so as to not show but one ticket, and drop it in the box.

Q. Did you compare the ballots in the box with the names on the poll-list?—A. No, sir.

Q. You did not find out then, whether there were more ballots in the box than there were names on the poll-list?—A. Yes, sir; there were more names on the poll-list than there were ballots in the box.

Q. Do you mean that there were more names on the poll-lists than there were ballots in the box?—A. Yes, sir.

Q. Or, do you mean that there were more ballots in the box than there were names on the poll-lists?—A. No, sir; there were more names on the poll-lists than there were ballots in the box. If I have my right recollection, as far as I can think now, there was nine names on the poll-list more than there were ballots in the box.

Q. What, if anything, do you know about men repeating at that poll? Do you know anything about it?—A. No, sir.

Q. Do you know whether men from Georgia voted there?—A. Yes, sir; I saw one there that voted that I knew was from Georgia.

Q. Was he a white man or colored man?—A. A white man.

Q. Was he challenged?—A. No, sir.

Q. Do you remember his name?—A. Yes, sir.

Q. What was it?—A. Mr. Burton.

Q. Do you know whether or not any men in your neighborhood have been turned off of the plantation on which they lived because they voted the republican ticket?—A. Yes, sir.

Q. Do you know it of your own knowledge?—A. Yes, sir.

Q. Tell us what you know about that.—A. Well, Mr. Strong, he said that if the colored people on his place did not vote the democratic ticket they would have to leave.

Q. Who is Mr. Strong—a white man and a democrat?—A. A white man. They say so. He has been a republican, but he has turned.

Q. When did he say that?—A. He said that before the election.

Q. Do you know whether those people have been turned off of his place?—A. I don't know any one on the place now.

Q. All have been turned off?—A. Yes, sir.

Q. How many were on before the election?—A. I disremember how many.

Q. Were there quite a number on his place?—A. Yes, sir; a good many, I think; but I disremember how many he had on it.

By Mr. MERRIMON:

Q. How do you know that Burton lived in Georgia?—A. I traded with him in Georgia.

Q. When?—A. The last of May.

Q. How did you trade with him?—A. I got groceries and bacon from him.

Q. In Augusta?—A. Yes, sir.

Q. Did he not have his business house over there and live in this State?—A. No, sir; he lives in Augusta.

Q. Are you sure of that?—A. Yes, sir.

Q. Why did you not object to his vote?—A. I didn't do it. I don't know what was the reason. I ought to have done it, but I didn't do it.

Q. Did he not claim to live in this State?—A. I don't know.

Q. Did you not swear him?—A. Yes, sir.

Q. You don't know whether he claimed to live in this State or not?—A. No, sir.

Q. You do not swear that he did not live here with his family?—A. No, sir.

Q. Could he not have lived here, having a farm in this State, and yet have a business-house in Augusta?—A. Yes, sir; he could have done it, but I don't think he did.

Q. You see this is a matter of importance and you ought to be certain about it; you say he might have done it. What you mean to say is that you know he has a business-house in Augusta?—A. I traded with him in Augusta.

Q. But whether he has a farm in Edgefield County you do not know?—A. I don't think he has any.

Q. But you do not undertake to say positively that he has not?—A. No, sir.

Q. He took his oath and voted?—A. Yes, sir.

Q. And there was no objection made by you or anybody else to it?—A. No, sir; none at all.

Q. Your election was a very quiet one?—A. Yes, sir.

Q. And there were a few more names on the poll-list than there were votes in the box?—A. Yes, sir.

Q. And that is all you know about it?—A. Yes, sir.

ARCHY WELDON—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

ARCHY WELDON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. Edgefield County, South Carolina.

Q. Do you live at the court-house?—A. No, sir.

Q. How far from it?—A. seven miles.

Q. At what place?—A. In Collier's Township.

Q. Did you vote on the day of the election?—A. I did not, sir.

Q. Are you a republican?—A. Yes, sir.

Q. Why did you not vote?—A. Well, I was prevented from voting.

Q. Tell us how you were prevented.—A. Well, on the morning of the 7th I went to vote at my voting-precinct at Red Hill, but being told that I were to be mobbed there—

Q. Who told you that?—A. Well, I had certain information before the day of the election and seen several signs, and three couriers, red-shirts, came around by my house, and I was begged to go up to Edgefield Village and vote. The supervisor and thirty or forty other men went by and I went on up to Edgefield Village and right up to the court-house, and I went to try to go up the court-house steps and I could not get up. Several of those horsemen told me I could not go up in there yet; that I could not vote yet. Then I held on awhile; after holding on until about ten o'clock I heard the news from No. 2 box that we could vote there; in consequence I went up there.

Q. How did you find things at box No. 2 when you got there?—A. At box No. 2 they were crowded so that they could not get to that, and I followed a file of soldiers right on and they went and opened the way so they could circulate around the door, and I attempted to vote about one o'clock again, and Mr. John Swearingen told me I could not come in to vote on account of that he thought I had voted at No. 1 box; I told him I hadn't voted there; he said, "Be damned if you can come here to vote, for, by God, we are going to vote General Hampton in a big arm-chair, and you cannot come here; you voted at Red Hill, and you can't come here to vote; you have done voted at box No. 1." And he asked me if I was not on that ticket. I told him yes. Then at three o'clock I started back down to the court-house after hearing from Colonel Cain that they had 400 or 500 men, and when I reached within about a quarter of a mile of the court-house they were turned back and told that they could not get to vote there. I asked what was the matter. They said General Butler said before they should vote there they should have a couple of rounds. After I heard that from those that were ahead of me then I turned back to No. 2 box and I tried to vote there. And about sundown Mr. John Swearingen shook a stick over my head, about three foot long, and said if I dared to go in there and vote I would get that over my head; that I could vote if I would take his ticket and he would carry me in. I told him I didn't do that kind of business; I voted myself and he voted himself. I told him I didn't want to vote but once, and then I turned back and went down street. Some man, I could not tell who, gave me a lick on the side of the head after asking me the question did I vote. I said, "No." He said, "No, God damn you, you sha'n't cast any vote for Chamberlain;" and he struck me. And that day they drew off my coffin on a piece of paper and stuck it on the gate, saying that if I didn't leave that township they would murder me. They wrote a few lines and didn't sign any name. I told one young man of it in the township and he said he didn't know anything about it.

Q. You may state anything else that you know relating to the election or the political canvass that preceded it.—A. Well, sir, I know that I have been threatened over three and four weeks, and I will say from the time that Governor Chamberlain was over there. The Sunday afterwards, right the next day, they sent a young man to my house and he came and questioned me of my political opinions.

Q. Was he a white man?—A. Yes, sir; and he asked me if the guns was taken out of the house. I told him I knew nothing of it. That was prior to the election. He wanted to know if I didn't have one. I

told him no. He said if a file of white men was to come along by my house in the late hours of night through my plantation, and if I thought my life was in danger, what would I do. I told him that if I was satisfied that my life were in danger anyhow the result would be that I would have to resolve to die. He asked me if I would shoot. I told him I would. He asked me why I would do so. I told him because through my plantation wasn't a public highway, and nobody has any business to go through there. I said they had promised to mob me if I didn't leave the township.

Q. Do you own land yourself?—A. Yes, sir; I have been owning it four years this coming February.

Q. How much land did you have?—A. A company of us bought two hundred and fifty-three acres; five of us in the company.

Q. Have you any personal property?—A. Yes, sir. I have no horses now. It was imagined that somebody poisoned my horse at the beginning of the campaign, before I laid by. I have cows and wagons and such like as that.

By Mr. MERRIMON:

Q. If they meant to kill you, why did they not do it? Did they not have an opportunity to do it?—A. Well, I suppose they might have had in some instances, and then, again, they didn't. They didn't care to come openly and do it, I reckon.

Q. You are sure that the hostility to you came of their dislike of your politics and nothing else?—A. They could not have had anything else against me but my politics. I was born and raised in that county, and I have never done anything. I moved to Florida once, but came back again.

Q. Are you a candidate?—A. Yes, sir.

Q. What for?—A. For the legislature.

Q. Have you ever been in the legislature?—A. Yes, sir; I served two years, 1875-76. The election was in 1874.

Q. Then you were a candidate at the last election?—A. Yes, sir.

Q. And were beaten?—A. Yes, sir; so said.

Q. Why did you not go up into the court-house and vote?—A. I could not get in there.

Q. Could not other colored men get in there?—A. A few got in, from what I heard.

Q. Why were you not one of that few?—A. They got in before I reached the place. After I got there they crowded worse.

Q. Didn't Mr. Sheppard offer to take you up?—A. A crowd was in ahead of me, as I told you, to carry them up, but Mr. Sheppard and young General Gary and others stopped them.

Q. Somebody hit you a lick?—A. Yes, sir.

Q. Who was he?—A. I could not tell; it was in the night.

Q. Were there many colored people in the town of Edgfield the night before the election?—A. No, sir; not from what I have learned. They did not gather until about six o'clock, and just before six next morning.

Q. If you had staid at home and gone to your regular box you could have voted?—A. No, sir.

Q. Why not?—A. Because I have been informed since that—

Q. Don't state what you have been informed.—A. I say I was informed before that I could not vote there.

Q. Did any other colored people vote there?—A. Only nine.

Q. You are sure of that, are you?—A. Yes, sir; from what the poll-lists showed.

Q. Did not your party get its usual vote in that county?—A. No, sir.

Q. How much did it lack?—A. It lacked a good deal.

Q. Were there any colored democratic clubs in your county?—A. No, sir.

Q. None at all?—A. None, as I have learned.

Q. You never heard of any?—A. Not of colored democratic clubs.

Q. Did any colored men vote the democratic ticket?—A. About one hundred and thirty or one hundred and forty of them, from what we had seen, followed the democratic party.

Q. I suppose that is all conjecture on your part, is it not? You do not know how many voted it?—A. No, sir; I don't know how many voted, because I was not at the box exactly.

LAWRENCE CAIN—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

LAWRENCE CAIN (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Edgefield Court-House.

Q. How long have you resided there?—A. All my life, except a few years that I was in the army.

Q. How old are you?—A. I was thirty-one last birthday.

Q. What offices, if any, have you held in that county?—A. Well, sir, I was registrar there under General Canby; I was assistant assessor in 1872; I was United States census-taker in 1870, and I have been a member of the general assembly for that county for the last eight years.

Q. What official connection had you with the republican party during the last campaign?—A. I was chairman of the republican party for that county.

Q. If you took any part in the late political campaign in this State, or if you have any knowledge of that campaign, you may state such facts as came under your own observation. Just give the narrative in your own way.—A. As county chairman, I, as a matter of course, had the management of our county affairs there; that is, the meetings were called through me, and it was my duty, as chairman, to preside over and conduct them generally. I called a meeting on the 12th of October, at which I invited Governor Chamberlain to be present and other gentlemen to speak. Our stand was taken possession of on that occasion by the opposition. Do you want a detailed statement of that meeting?

Mr. CAMERON. Well, we have had that meeting described to us a great many times, but you may state generally in regard to it without going very minutely into it.

A. As chairman of the county, the opposition called upon me and requested that one-half the time be given to them. I declined their request. When we went to the stand, about eleven o'clock, General Butler, General Gary, Mr. Sheppard, and Mr. Abney, young lawyers there, were on the stand, with a great many others. The stand had been broken down before we got there. After Governor Chamberlain and myself went on the stand it was so crowded with democrats that it broke down a second time. General Butler then came forward and addressed the meeting; he said, in substance, to the democrats there that he hoped that they were prepared to prove that they were not such

roughs as they had been represented to be, by keeping order there that day; then he assailed Governor Chamberlain and General Smalls for the way they had represented him and the Edgefield people generally in regard to the Hamburg massacre. After that he took his seat, and General Gary came forward and stated that he had made a demand on the leading radicals for half time; that they had refused to grant it, and now they would be responsible for whatever might take place. Just as he said that, he went back and took his seat.

Judge Mackey then got up and stated that the committee had waited on him and Governor Chamberlain in regard to the matter, and that they referred the matter to the county politicians; that they were the ones who refused to grant the request. In winding up his remarks Judge Mackey said, "Governor Chamberlain and myself now agree to divide the time," whereupon we agreed to speak alternately, each man having about thirty minutes' time. Governor Chamberlain spoke first. I don't think that he used more than eighteen or twenty minutes of his time on account of the interruptions. About two o'clock Governor Chamberlain and myself left there. Governor Chamberlain said to me then that he hadn't spoken with any satisfaction, and that he would like to leave, and he and I started off. As we started off a great crowd of whites followed after us, and they said to Governor Chamberlain, "Come back and hear it out." Governor Chamberlain looked around at them and made no reply at all, but he and I walked on over to the village. After we left the stand there was no more speaking. The men all followed us off and the town was in an uproar all that evening, and men were shooting off their fire-arms and riding around my house a great many times that night. I was out of my house some portion of the night after I found they were riding around there. I didn't know but what they intended to come in, and I sought an opportunity to go out and stay awhile. I would have staid all night, but there came up a storm, and I went back to my house and staid until morning. The next morning after daylight different parties walked around to my gate.

Q. What parties?—A. Mr. L. M. Griffin was one. I can state that I saw two white men myself, one on horseback, but I don't know who they were. I know Mr. Griffin, but I didn't see him.

Q. Did they make any hostile demonstration?

The WITNESS. While riding around?

Mr. CAMERON. Yes.

A. They stopped opposite my window and tried to look in; one of them did. That was the only demonstration I saw. He rode then around my house and turned around and rode right back again. I think in about three or four weeks after that we called a convention there and elected delegates to the State convention. I presided over that convention. They came in there and made a demand again.

Q. The democrats did?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. That was in the court-house?—A. In the court-house. They made a demand that Mr. Sheppard be allowed to speak there. Mr. Sheppard got up and stated that he didn't wish to interfere with the proceedings of the convention at that period, and if he was to speak at all, he would like to do it later in the day. After he made that statement everything quieted down until we had gotten through with our work. Then they commenced hollering for Mr. Sheppard. A great many men were leaving, and it seems that they were kicking up a row there. I then called the attention of the convention to the fact that I thought it out of place

for Mr. Sheppard to speak to our convention ; but that after we had adjourned if they desired to hear Mr. Sheppard I had no objections. We then adjourned the convention and allowed Mr. Sheppard to speak. Do you want anything said about the substance of his speech ?

Mr. CAMERON. Yes ; you may state it.

A. Well, he stated there that he would like for the colored men to vote with him ; but he wanted them distinctly to understand that they were independent of them ; that they didn't need their votes ; that they would be elected without their votes ; but one thing certain, they would carry the election, and they would see it, and after the 7th of November they would be sorry that they didn't vote for them. I will make another statement, too, that I had forgotten in passing, in regard to that meeting on the 12th of August. General Butler said, when he addressed the meeting there the second time, that he could take twenty of his men (pointing to the democrats) and whip every nigger there ; that if any of them voted the radical ticket they would not own it after the 7th of November, except Lawrence Cain and Paris Simpkins ; and he seemed to doubt whether we would.

At that meeting at the court-house Mr. Sheppard spoke, and after he had gotten through, I went up to Mr. Sheppard and said to him, "I would like to answer you if you will guarantee me a peaceable and respectful hearing, as I did you for my side." He told me he would, and I replied to him. They didn't interfere with me. I remember when a man was drawing his pistol—I knew who drew the pistol or attempted to do it, but before he did it Mr. A. A. Glover reached him and caught hold of him and stopped him. When I had finished my speech, I came out of the court-house and this party followed me to try to get me to stop there to hear them speak again, but I wouldn't stay. It was getting late, and I didn't know what might take place. I came away and went home.

We didn't hold but one more meeting in that county. The date of it I don't remember, but I do know that they had a meeting there, and there were twelve or fifteen hundred men there, I suppose. I think this was before Governor Chamberlain's proclamation was issued disbanding rifle-clubs. They were in there that day and armed and dressed in red shirts, and there was a great deal of firing of anvils that evening.

By Mr. CAMERON :

Q. Who were the speakers that evening ?—A. I didn't attend that meeting.

Q. I will ask you if you heard General Ferguson make a speech in Edgefield ?—A. I heard the speaking from my house, and each time I would inquire who it was ; but I didn't think it was safe for me to go around there, because I had heard threats that had been made against the leading men, and I thought it would be unwise for me to go there, and therefore I didn't go ; but I did hear that General Ferguson made a speech there, and I know about the time he made it, because parties would tell me who were speaking.

I suppose about three weeks before the election I was down at J. L. Addison's office to see him, and as I walked in General Gary was in there. He got up and said, "Cain, come out, I want to see you a minute." I walked out and he told me, "I want to say to you that we want you to agree to allow us one-half of the managers in this county at the election ; and I want you to agree, furthermore, that there shall be no appointments made from the court-house as managers to go into the country." Formerly we appointed the most intelligent men from the court-house to go into the country because we haven't intelligent

men in the country, but General Gary protested against that. I told him there that I would not agree to divide the managers with him, and gave him no answer as to whether I would agree to appoint the managers from the precinct in which the election was held; but I heard so many threats that if these men left the court-house they should never return, that I did agree to have the managers appointed in the precincts in which the election was held. Therefore we sent none from the court-house at all.

Q. What can you tell the committee in regard to the manner in which the campaign was carried on by the democrats in your county? It has been said here that the campaign throughout the State was carried on peaceably by the democrats. Now, so far as your county is concerned, if you have knowledge of the manner in which it was carried on, please so state.—A. Well, sir, I don't think that it was carried on peaceably in my county at all. I know parties reported to me before the election that they were whipped, and I had frequent reports of their being threatened with extermination.

Q. Did you make a canvass of the county yourself?—A. I did not, sir.

Q. Had you been making a canvass prior to this campaign in previous years?—A. Yes, sir; I have canvassed the county every election since 1868.

Q. Why did you not do it this year?—A. Well, sir, I had reason to believe that I would be murdered if I had done so.

Q. And that is the reason you did not?—A. Yes, sir; I would like to state the reason for my belief.

Q. You can do so.—A. I had a member of one of the democratic clubs come to my house and tell me that the matter had been argued in his club, and that they had agreed there that if any man would assassinate Harry Simpkins, Lawrence Cain, or H. M. Boney—

By Mr. MERRIMON:

Q. What is the name of the man that told you?—A. I can give his name, but I was requested not to give his name, because he says he cannot live there if it is known. He told me that he was a democrat and that he had joined the club.

By Mr. CAMERON:

Q. Harry Simpkins has stated his name to us, and therefore there can be no objection now to your stating it.—A. Well, sir, his name is George Weaver. Another reason why I was afraid to canvass the county is because I received several threatening letters during the early part of the year. I have those letters with me, if the committee would like to hear them.

(Witness produces two letters inclosed in envelopes.)

Q. You received these by mail?—A. Yes, sir.

Q. One is post-marked Augusta, Ga., the 8th of last April?—A. Yes, sir.

Q. And the other is dated April 19th. When did you receive this and how did it get to you?—A. That was a drop-letter at Edgefield Court-House.

Q. You received it from the post-office?—A. Yes, sir, I did.

The following are the letters referred to by the witness:

AUGUSTA, GA., April 7, 1876.

TO LAWRENCE CAIN, P. SIMPKINS, J. H. MCDEVIT, & Co.:

We Georgians understand you smell blood, now allow us to tell you that if you all put the devil in the negroes again, and have them congregated together in companies

to fight white folks like you did before the last election, the *great probability is somebody will smell your blood, and you will not be able to smell any more.* You can take this around and read it in your campaign, and make a text of it if you think it will enable you to carry any more votes in the election. If it had not bin for the white folks in Edgetfield, we intended to come over and clean you niggers up, when you had the other great parade, before last election. If you commence again, we don't intend to pay any attention to them white fools; they ought to be thankful to know that Georgians is ready at a moment's warning to give all the aid that is necessary to make niggers know that Edgefield don't belong to them. *We are willing for you to have all the rights the Constitution and laws of the United States guarantees to you,* but we don't intend you shall run over the white folks of Edgefield County. If you want to rule a country, you must go to Africa, or some country that belongs to you. We think you are a very ungenerous set of rascals and thieves—suck all the blood out of men who owns the country, and give them no chance at all. So adieu until the Edgefield war commences.

MANY GEORGIANS.

EDGEFIELD, *April 19.*

Lawrence Cain, you had better take steps right away to protect yourself and family, as there is a band of men coming to the village on Sunday night to murder you and McDewitt. I am a white man, and a republican, but dare not say it openly.

The WITNESS. As I have stated, I would get such reports as are mentioned here, or from other sources, every time we gave notice of a meeting; some of my friends would come in, and state that thus and so was advised there—that we should not canvass the county—and I thought it would have been indiscreet to undertake it; so I did not. We never held but the two meetings in the county.

I was not satisfied as to the truthfulness of the statement that we should not canvass the county, until we undertook to hold a meeting at the court-house. At that meeting, on the 12th of August, I saw what demonstrations were made by the opposition, and I was then satisfied that the reports that had come to me must be true. I saw that they took possession of every meeting, right in the face of all the intelligence we had, right where the governor and other distinguished men were, and I concluded, myself, that in the country they would do even worse than that; so that I never called a meeting in that country the whole time.

Q. You may state what occurred immediately prior to the election, and on the day of the election.—A. Well, sir, I remember that a few days, perhaps a week or ten days, before the election, Judge Boney and myself were sitting down, when General Butler rode along and called us both out. He said to me, "Lawrence, I understand that you and Boney are trying to get up affidavits here to have me arrested." I asked him who was his informant. Well, he didn't tell me who it was, but he told me that he had heard that. I said, "General Butler, I asked Ben Covar as to whether he was over to the meeting Saturday, the 12th of August, and he told me he was, and then I asked him if he could tell me what took place there." I didn't tell him what my object was in asking that question, but it seems that he went to General Butler and told him that I was getting up evidence against him. However, General Butler said to me, "Now I want to tell you here that if you want anything against me, come around to my office and tell me what you want, and perhaps I can save you the trouble of going around to get it." He says to me, "I will tell you one thing, I propose to beat you in this election, and I am not careful as to what means I resort to to do it." I said to General Butler, "I don't say that." I said that "I intend to beat you, too, but I propose to work within the pale of the law to do it." Then he said, "By God, I guess I will be too sharp, if I go outside of the law, for you to catch up with me." He talked a long while and said

furthermore, "If you want any evidence against me, just come up to my office and I will give it to you; and I will tell you what I propose to do: I propose to go to my plantation to-morrow and I propose to tell the men that I have there, white and black, that if they vote the radical ticket they shan't come back there." That ended that conversation with General Butler and myself, so far as materiality is concerned. That was Saturday.

In about nine days after that—the following Sunday week—he met me and called me again and says, "I understand you sent a note to Major Kline, that I said that I intended to carry this election, and that I didn't care as to what means I resort to to do it, and that I had told the officers that I didn't care a damn about them." Said I, "I didn't tell Major Kline that. I told Major Kline that you said that you intended to carry the election, and that you had told the officers that you intended to do it, and didn't care what you resorted to; that is what I told Major Kline. I didn't tell Major Kline that you said you didn't care a damn about the officers, as you say." I said, "General Butler, I am willing to go with you to Major Kline, if you will come down to-morrow morning." He agreed to go to Major Kline's next morning with me. Next morning came, but he didn't come, and he never said anything more to me about it. He told me there, though, that he was getting damned tired of this thing, the way his name was being used, and he was going to make a personal matter of it with some of us and give some of us a damned good caning. Said I, "General Butler, you must be sure that you understand the facts before you undertake it. You must be sure that I have improperly represented you before you do that." What I meant by that was that I wanted him to see that I had not said many things that he had heard I had said. There were several persons present when he had this last conversation with me, whose names I can give if you desire.

Q. You may do so.—A. Judge Bouey was present at the second time; Jesse Jones, a man by the name of Lyman Simmons, and several others were present, but I don't remember their names.

I don't know anything further of importance that took place, except at our second meeting we had there, which was about the 2d of October. Early in the morning of that day there rode into town some six or eight hundred red-shirters again, and they were riding around town generally. We went over and commenced speaking, and they rode all around us, hollering and yelling, and some of them waving their pistols in the air. I remember seeing one man pull out his pistols. They were yelling as they passed by the stand. Generals Butler and Gary were both there with them, and General Gary asked this man to put his pistol back. They didn't stop at my house that time at all, but just rode by, with a final yell as they passed by.

Q. Now come up to the time of the election, or immediately prior thereto, and state what occurred.—A. On the night previous to the election the people began to crowd into town. My house was stoned that night by parties; I don't know by whom. Next morning I got up about 5 o'clock, I suppose, and went down town. About half-way between the two polling-places, Nos. 1 and 2, I stopped and staid, I guess, until 9 o'clock in the day. About 9 o'clock, in fact from 8 to 9, a good many republicans came down and reported to me that they could not vote—some of the men to whom I had given tickets before—and I asked them why; they said, "Well, they are crowding the steps of the court-house in such a way that we cannot get up there. They have their horses all at the foot of the steps, and the court-house steps are densely crowded

in such a way that we cannot get up there." Then I said to them, "You had better go up to box No. 2." In a short while a great many reports came back to me that they could not vote there; that the steps were crowded; that it was packed full of men who had taken possession the night previous, and therefore they could not vote there. Well, I told them that I thought when these parties had gotten through they would give way—those parties that had been there all night and had possession—that I thought as soon as they had voted they would give way; but the next report I heard was that Major Kellogg had to be up there with a company before they could vote. Soon after Major Kellogg went up there with his company, I went up there myself to try and vote, and I did get through the crowd of men that were tightly packed together; but they would give way for me as I was passing along, knowing who I was. The colored men were waiting there for an opportunity to vote. I went in and voted at box No. 2, about 11 o'clock, I think. I staid there about two hours watching the proceedings, and I noticed the captious way in which the democratic supervisor would question the colored men there.

Q. State how he would do that.—A. He asked men that I thought any one would have taken to be forty-five or fifty years old as to whether they were twenty-one, and asked them all kinds of frivolous questions, I thought—whether they were twenty-one; how long they had been in this State; which township they lived in; as to whether they had been convicted of any crime—subjected them to every question he could think of. I remember several times that democrats would protest against colored men voting, saying that they had voted. When that protest was made they would not allow the man to vote without they took the poll-list and searched the book from the first to the last name, to see whether his name could be found; if they could not find it they would allow him to vote. The reason that I noticed this so particularly was that it appeared to me that it was done for the purpose of retarding the negro vote, in order to prevent a great many of these men voting before six o'clock in the evening. That is why I noticed it as I did. I noticed a great many men came in there and voted whom I knew nothing about.

Q. White men?—A. White men; and the manager would simply say to them, "I challenge that vote." I walked up there and asked if I was allowed to speak. The supervisor said I could speak through my supervisor or the manager. Then I said "You ought to question these men whose right to vote you challenge, and find out their location, so that you could find out as to whether they do reside there hereafter." Well, he did question finally the right of the man to vote, and tried to get his location; the man told him, "I live down here, about twelve miles from here." Just as he said that the democratic supervisor stepped up and said, "That is none of your business, he lives in this county and has been here sixty days, and has been in the State twelve months, and it is none of your business as to where he lives." After that, the manager would not try to locate them any more, I noticed. A great many of them that came in and voted I knew nothing about.

Q. You are well acquainted in the county, are you?—A. I think I am. I think I ought to be. I was raised there, and I was in the Army with these men, and have gone over the county a great deal.

Well, I left there about one o'clock. I then went down toward box No. 1 again and inquired as to whether they were voting there. A great many republicans, I think, came from box No. 2, and some few told me that they thought they had gotten through; but to satisfy my-

self as to whether they had or not, I sent two men there to vote. One of these men is here; I sent them there in the first place to see as to whether they had finished voting and whether they would be allowed to vote; they walked in and voted, and returned entirely unmolested. They came back and reported the fact to me that there was no voting going on there, and they thought my men could vote there. Thereupon I went back to the school-house, and as I went along I said to the men, "Now as many of you go down to the court-house as can get in there; they are through voting there; all of you can't vote here, so walk down there and vote." They commenced going off to box No. 1, and after I had, I suppose, ordered some three or four hundred down there, I went on back myself to see if they got to vote. Just as I got within two hundred yards, I guess, or one hundred and seventy yards of the court-house, I met this crowd coming back. They said, "Mr. Cain, we can't vote up here." I said, "Why?" They said, "Why, don't you see all these horsemen up yonder across the street? Don't you see General Gary? They have just told us that they be damned if we should vote there." Well, I saw these men with their horses across the street.

Q. Formed in line across the street?—A. Formed in line across the street; and I said to these colored men, "Well, I will go down and see General Brannan about this thing, and see if the way can be cleared of this obstruction." I turned the corner then. The corner was within twenty yards of where they were, and I went around to General Brannan's office. I told General Brannan that it was now about three o'clock, and there were, I supposed, something like a thousand men up here at box No. 2 that hadn't voted; and I told him also that the democratic supervisor was asking all kinds of frivolous questions for the apparent purpose of delay. Just about that time General Butler came in, and he said to General Brannan—I think it was before General Brannan gave me any answer at all—"General, I came down here to see what this man has to say. He is the cause of all our trouble here, (speaking of myself,) and I came down here to see that he is not misrepresenting us." Well, I restated to General Brannan what I have already stated, that my men could not vote there; that I wanted them to vote at box No. 1. General Butler said, "We have given up box No. 2 for them to vote at, and we think we have a right to box No. 1." I said, "General Butler, box No. 2 has not been given exclusively to republicans, because I have been there for two hours, and I saw that white men have been voting there jointly with colored men." "Well," he said, "very few white men had been voting there." While I was there I know ten whites would come in to be sworn in every time to two or three blacks, and that will be shown by the poll-list.

By Mr. MERRIMON:

Q. How did the blacks vote there?—A. Eight hundred and forty, and the whites 316; I have a record of that in my pocket, I think.

By Mr. CAMERON:

Q. If you are certain as to the number it is not necessary to refer to it.—A. Well, sir, General Butler, as I told you, stated to General Brannan that I was the cause of all this trouble there, and just at that time General Brannan said to General Butler, "These men must vote; the way must be cleared if you men have finished, so as to allow them to vote." Just at that time Mr. John C. Sheppard came up and said, "I will see that every man votes that has not voted; now, where are they?" I called up several men—there were two or three hundred standing

around—and said, “Here is one, and here is one, and here is one.” He would call them up and say, “Have you voted?” and they would answer, “No, sir.” He said, “I will go with you to box No. 1 and see that you do vote.” I says, “Mr. Sheppard, if you will do that that will satisfy me; if you will just see that all these men vote, I want nothing more.”

While I was at General Brannan’s office I thought a row was going to take place, and I was cursed and threatened by people standing around, and one of them I can name.

Q. What was his name?—A. Dr. W. S. Sheppard. He said, gritting his teeth, that he would give \$150 if he could just get hold of me. I was cursed there by General Butler, too. I didn’t think it was wise for me to risk anything at all. I thought it would have been very unwise for me to do it. Under these circumstances I walked off. Mr. Sheppard then walked off with me and said, “Now, show me your men and I will go to the court-house with them.” I called up at least one hundred men there, who started with Mr. Sheppard to vote, and in about five minutes this crowd came back in a rush—these men that had followed Mr. Sheppard—and said, “We can’t vote up here.” I asked “Why?” They answered, “We were following Mr. Sheppard and he was caught up with by a crowd of men there, and they told him they be damned if we should vote there; and his brother, Dr. W. S. Sheppard, told him the same, and we had to turn round and come back.” “Well,” I said then, “if you cannot vote there, suppose you go back up to box No. 2, and see if you can all get in there before night.” A great many of us went back up there, but night came on and I suppose there were at least seven or eight hundred that didn’t vote.

Q. Have you taken any pains to ascertain how many were prevented from voting?—A. I have.

Q. With what result?—A. I did that for the purpose of entering a protest in order to contest the election with General Gary for a seat in the senate. He was a candidate against me. I took steps to ascertain how many republicans hadn’t voted. I saw by the vote that was polled that our voting population was exceeded considerably. The census only gives us 7,100 and something, I think. I saw by the votes that were polled that 9,374 votes had been polled, and in order to show that Mr. Gary’s vote was a fraudulent one, I went to work to find out how many hadn’t voted, and I obtained a list of 900 and odd who hadn’t voted. Most of those parties swore that they did not vote, and I have their affidavits.

Q. If there is anything else that you desire to state you may do so.—A. I don’t know anything else very important, except the ridiculous way in which my house was stoned Tuesday night after the election.

Q. Quite a number of witnesses have spoken of that, but you may state how it was stoned.—A. About nine o’clock in the night they stoned it from the west side and broke the parlor window-glass, and broke up things in a terrible way there. I reported the matter to Major Kline through my mother-in-law. I was afraid to go out myself, but my mother-in-law went out and reported to him, and he very soon came in. I showed him what had taken place, and he promised that he would report the matter to General Brannan. He returned in about fifteen minutes and told me that he had reported it to him, and that General Brannan had told him to say to me that it would not be repeated; that he had ordered these parties to leave town. I don’t remember whether he said that General Brannan had sent for Generals Butler or Gary or any of them, but at any rate he told me that those parties would leave the town, he thought, from what General Brannan had done. Well, I

made myself satisfied. I went to bed about eleven o'clock, I think, and just at twelve o'clock—I noticed the clock at the time—they came up on the other side of my house and stoned it again. The room where my wife was lying was on that side of the house; she had been confined only eight days; she was frightened almost to death, and jumped out of bed. It happened that I was in the room and got her back in bed very soon. I didn't leave the room myself; I thought it would be dangerous for me to go outside, and I had to stay in there to keep her quiet. My mother-in-law and sister-in-law both made an alarm. I suppose they alarmed all the neighbors around, and in a few minutes Sergeant Bennett, I believe, from the garrison ran up to my house and saw what they had done, and said to me that he would go and report the matter to Major Kline himself. He went around and saw Major Kline, and came back and said that he had seen him. He said that Major Kline hadn't the power to order any troops there to protect me, but he says, "For the sake of humanity I will stay here until daylight myself."

Q. Were you present during the time the vote was being canvassed by the county commissioners?—A. I was not.

Q. Were you in the town at that time?—A. I was in the town. I can state something in relation to that, if you desire.

Q. You may do so.—A. I think it was about Thursday after the election before the crowd that were in there left the village. Wednesday, I think, the town was in more of an uproar than it was on Tuesday. There was a crowd going around carrying George Tilghman, Oscar Cheatham, and several other democrats on their shoulders; and they were having a jolly time among themselves, yelling and coming up to my house and cursing me to everything they could think of, and asking why I didn't show my head, and such as that. The boxes began to come in on Wednesday, I think, and Mr. Jones and Mr. Holland, the republican commissioners, would not come up to receive the boxes. Mr. Holland's wife came around to see me about it, and said that he was afraid and wanted my advice. I said that I thought it was his duty to receive the boxes, and that he had better go to the court-house and receive them. Mr. Jones would not come either, and one of the democratic managers from the country, Mr. D. C. Tompkins, came to see me about it and said, "I wish you would advise these commissioners to come and take these boxes. We cannot deliver them to one man; we would deliver them to the democratic commissioner, but the law says they are to be delivered to the commissioners; therefore, unless two of them are there, we cannot deliver them at all, and they will keep me here all night." I promised Dr. Tompkins that I would write to Mr. Jones right away to see if I could get him to come. I did write him a note, and was afterward informed that Jones did come and receive the boxes.

Q. You may state whether at that time there were large bands of armed white men in town.—A. There were. While I advised those gentlemen to come out and attend to their duty, I really thought that they had to do as they were ordered or their lives would have been in peril; but I thought their duties were merely ministerial and it would be better to come out and risk it. I didn't think that they had a right to decide whether General Gary or myself was elected. I so informed them—that they had nothing to do with that. I wrote Mr. Jones a note, saying, "Inasmuch as you will have nothing to decide, I think that probably they will not interfere with you." But from the crowd that was in the street they had reason to be afraid.

Q. The vote was canvassed on Friday, three days after the election, I believe.—A. Yes, sir; I think it was.

Q. You may state whether or not there were large bands of armed men in the town on that Friday.—A. There were a great many strangers there, but not near so many as there were on Wednesday and Thursday. The most of them left there Thursday evening, I think; but there were a great many strangers still in town on Friday.

Q. Do you know David Graham?—A. Yes, sir.

Q. Do you know what his reputation for truth is in the community in which he resides?—A. I have never known his veracity to be questioned at all.

Q. You never heard anything said against him as a man of truth?—A. As a man of truth—well, I don't know that I have, sir. I have heard that he is not a very good man to pay his debts. I think that is all I ever heard against him.

Q. Are there not a great many in that position in this county now?—A. Yes, sir; I know I cannot pay all mine.

Q. Do you know Wiley J. Williams?—A. Yes, sir.

Q. Do you know what his reputation is?—A. Well, sir, I think it is good; I have never known anything to the contrary.

Q. Do you know George Bowen?—A. Yes, sir.

Q. Do you know what his reputation is for truth.—A. I look upon it as being good.

Q. Do you know Jesse Jones?—A. Yes, sir.

Q. Do you know what his reputation for truth is in the community in which he lives?—A. I have never known anything to the contrary about him.

Q. Do you know Augustus Henderson?—A. Yes, sir.

Q. Do you know what his reputation is for truth in that community?—A. I have never known his integrity to be impeached there, or attempted to be.

By Mr. MERRIMON:

Q. I suppose these persons you speak of are not persons of much note as to character?—A. Some of them are men of note.

Q. Who are they?—A. Mr. Graham is a man of some notoriety. He has been a member of the legislature, I think, for the last four or five years; I have been associated with him in the legislature.

Q. You never heard his integrity questioned at all by anybody?—A. I don't remember having heard it questioned, further than that he is not very good to pay his debts; if you call that questioning a man's integrity. I have heard that, but nothing further.

Q. Did you ever hear Jesse Jones charged with perjury?

The WITNESS. Do you mean of my own knowledge, or have I heard of it?

Mr. MERRIMON. We do not want what you know—what the people generally say about that.

A. I have heard that there was a question up in court once in regard to an affidavit that Mr. Jones had made. I was not present at the time, but I was informed at the same time that one of the lawyers advised him to make the affidavit that he had made. I think that lawyer was Mr. Abney. I also heard that another one had protested against his making the affidavit.

Q. What is your business?—A. Well, sir, I run a farm at home. I have been a law student for the last two years.

Q. Have you been very largely engaged in politics for the last several

years?—A. Well, I don't know about being so largely engaged. I certainly have given some attention to politics.

Q. How much have you been in public life?

The WITNESS. How long, do you mean?

Mr. MERRIMON. Yes.

A. Well, I have just stated in my direct examination that I have been a member of the legislature for the last eight years.

Q. What other offices have you held?—A. I was registrar under General Canby in 1867. I was United States census-taker in 1870, and was assistant assessor for the county in 1872.

Q. Those are all the offices you have held?—A. Yes, sir; those are all of any importance that I know. I may have had other small appointments that did not amount to anything.

Q. You took a very deep interest in the late election?—A. Well, I don't think I was allowed to take a very deep interest.

Q. You felt a deep interest in it?—A. Yes, sir; I did.

Q. And do now?—A. Yes, sir; of course I feel a deep interest in it.

Q. You were a candidate at the late election for the senate in that district?—A. I was.

Q. And you contested the seat claimed by General Gary?—A. Yes, sir.

Q. You say that you took the census; do you mean in 1875?—A. I mean the United States census in 1870.

Q. Who took the census of that county in 1875?—A. Mr. R. A. Green was the principal.

Q. Is he a white man or a colored man?—A. A colored man. I will state, if you will allow me, that the census was really taken by white men and democrats, too, because his appointees were all democrats with the exception of three men, I think; and out of twenty-one townships sixteen were taken by democrats.

Q. Can you give us the names of the census-takers?—A. I can of most of them.

Q. Do they not complain over there that the census was not fairly taken?—A. I never heard anybody complain but democrats.

Q. They complained?—A. They complained.

Q. They complained that the census of the colored population is too large, and the census of the white population is too small?—A. Well, I heard that they said so.

Q. Do they complain of that?—A. I understand so.

Q. Give the names of as many of the census-takers as you can?—A. Mr. C. W. Creighton took six or seven townships; he took the townships of Dean, Blocker, Cooper's, Gray, Coleman, Rhinehart; I cannot mention the others.

Mr. Henry Kenny is a democrat, and took the townships of Hibler's, Merriwether's, and Grant. I wish it understood that I may not be exactly accurate about these.

The next democrat was A. Y. Graham; I am not certain about his initials. I don't remember what townships he took, but I know that he was one of the assistants.

The next democrat was Mr. M. M. Padget. He took Shaw's Township and I don't know what others.

The next democrat is Mr. Norris; I don't know his initials. He took Ward's Township.

Mr. J. P. Blackwell took one township; I don't remember which one.

I think there were more than that. I had a memorandum of it some-

where. I do know that sixteen out of the twenty-one townships were taken by democrats.

Q. Were they men competent to do this business?—A. Mr. Creighton is a very competent man, and so is Mr. Blackwell; so is Mr. Norris. Mr. Graham, and Mr. Kenny, I don't know much about as to their competency. I know the others are competent men.

Q. Now give us the colored census-takers?—A. John A. Simpkins took one of the townships; Mr. Green took two himself, he is the principal; Andrew W. Simpkins took one township; Mr. Cotton, a young man, took one township; Louis Davy was the name of the other young man; Cotton and Davy took Collins's Township together.

Q. Are those all you remember?—A. Yes, sir; those are all I can think of, but I think there were two more democrats; I think there were at least eight of them.

Q. As to those colored men, what will you say as to their competency to do this work?—A. Well, sir, they are competent men.

Q. Do they all read and write?—A. They all read and write.

Q. And are acquainted with figures?—A. Yes, sir.

Q. They are intelligent men?—A. You had Mr. Cotton here before you this afternoon, and can perhaps judge of his competency from your examination of him.

Q. You spoke of taking steps to ascertain how many colored men were not allowed to vote at the late election; all your efforts in that direction were *ex parte*, were they not?—A. I did it without notifying other parties.

Q. You did not notify General Gary or the other parties?—A. I did not.

Q. There was no order for the investigation that you made by any competent tribunal?—A. There was nothing official about it.

Q. You brought these men together and took affidavits of such as would swear that they had not voted?—A. Yes, sir.

Q. And you say that about nine hundred of them made such affidavits?—A. I say that I had a list of over nine hundred, the most of whom swore. Some of the names I got from other parties, who would say, for instance, that James Jones could not vote. There are a few of that kind, but the most of them are sworn to.

Q. Do you regard those affidavits as at all reliable?—A. Those that are affidavits I do.

Q. Do you not know that a great many of those poor colored men are very uncertain about such things and are easily misled?—A. In this case no one tried to mislead them.

Q. Do you not think that they are easily misled?—A. If I ask a simple question as to whether they voted or not, and ask them to give the names of others who did not vote, and ask them to swear to it, I have no idea that they would swear that they did not vote when they did.

Q. In Louisiana they got great numbers of affidavits to the effect that the men had not voted at all, when they had voted.

THE WITNESS. Do you mean to say that many had perjured themselves?

MR. MERRIMON. Yes.—A. I don't know about that; I don't think there was a case of that kind in Edgefield.

By MR. CHRISTIANCY:

Q. You do not know anything about that in Louisiana?—A. No, sir; I was present in Edgefield when a great many of them made affidavits, and know myself that they did not vote.

By Mr. MERRIMON:

Q. How were those affidavits gotten up?—A. They were sworn and subscribed to before the clerk of the court.

Q. Did you have these men brought in from the country?—A. I did, sir. I sent out this kind of a message: that I wanted every man that hadn't voted to come in and make an affidavit to that effect, because I intended to enter a protest against this election; that the vote was very large and I wanted to find out how many hadn't voted.

Q. Did many come in?—A. Yes, sir; some six or seven hundred came in.

Q. Did they come in in a body?—A. Very often they would come in 10 and 20 at a time, and I was nearly two weeks in getting up the affidavits.

Q. Did you send anybody out into the country to get them to come in?—A. I did.

Q. How many men did you send out?—A. I would send in this way: Sometimes a man would come in and say that he hadn't voted, and I would ask him if he knew of any one else that hadn't voted; sometimes he would say that there were a great many in his neighborhood; then I would say to him, "Now you are going back down there, and I want you to tell every man you see who has not voted to come up here." He would go down, and perhaps the next day there would come 20 right from the neighborhood in which he lived.

Q. And you took them in before the clerk of the court and swore them to the affidavits? Who drew up the affidavits?—A. I drew some of them myself.

Q. Who aided you?—A. I think Judge Bouey wrote some of them and the clerk of the court himself wrote several.

Q. Did any others do the writing?—A. There may have been other parties. They were crowding in, and I had the clerk of the court there so as to have them sworn to. I had been present; and I think I drew up one or two of the affidavits myself.

Q. Did it ever occur to you that you ought not to have taken those affidavits?—A. It never has occurred to me that I ought not to have done so.

Q. You did not know that as a matter of law you had no right to do that, but that the oath was extra-official and extra-judicial?—A. I know that according to law I can administer an oath myself. I am a notary public.

Q. But you cannot administer an oath to a man unless you have some case properly stated before you for you to take jurisdiction of.—A. I think anybody can come before me and make an affidavit.

Q. You have administered oaths where there was a matter properly before you?—A. A man can come before me and swear to anything.

Q. That is exactly what I am talking about. For instance, I come before you and say, "I want to take an oath before you as notary public"—

The WITNESS. You can write out your own statement and say, "I am willing to swear that I did not vote on the 7th of November." You can write it out yourself, and if you subscribe to it and swear to it before me I think it would be all right.

Q. If a man were to take a false oath in that respect would it be perjury?—A. As a matter of course, I should think it would.

Q. You had nothing before you then?—A. I don't know whether you would call it nothing or not. I was a candidate against General Gary, and I proposed to make my fight in the senate against him. I proposed to show that the election in Edgefield was a fraud.

Q. You took the affidavits in this case?—A. Well, I don't know whether you would say I took them. They were not subscribed before me.

Q. You did not administer the oath?—A. Of course not. I said the clerk of the court was present.

Q. I thought you said you were a notary?—A. I am, sir. I was thinking you thought I administered the oath, but I did not in that case.

Q. What did you do with those affidavits?—A. I filed them with the State board of canvassers.

Q. And they are on file now in the office of the secretary of state?—A. I presume so.

Q. Did they act upon them?—A. Well, I don't know that. I was not present.

Q. Did they cast out the vote of that county?—A. Yes, sir.

Q. Did they have any testimony other than that which you took as affidavits?—A. Yes, sir; they had numbers of affidavits from managers as to repeating and other things. I can state the substance of a great many of them, if you desire.

Mr. MERRIMON. I do not want that. You say that your house was stoned?—A. Yes, sir.

Q. Do you know who did it?—A. No, sir, I don't know who did it.

Q. It has been sworn here that, particularly on one occasion, a great crowd of colored people were seen about your house drinking, dancing, &c. Is there any truth in that?—A. There was never any dancing there in my life.

Q. Were they drinking and dancing around in your yard?—A. Not to my knowledge. About what time was it?

Mr. MERRIMON. I do not recollect. It was either the night before the election or the night after.

The WITNESS. I don't know anything about that.

Q. Were any guns fired from your house?—A. I heard two on Monday night. I don't know where they were fired from, because I dared not go out.

Q. Whether they were fired by white men or colored men, you do not know?—A. I don't know.

Q. Did an officer come over on one occasion and examine your house to see where it had been fired into, and ask you or your family to show him the place where the balls had struck, and none were shown him?—A. Well, I heard that Major Kline came there. I was not present when he came.

By Mr. CAMERON:

Q. If there is anything else which you desire to state that has not been called to your attention you may state it.—A. I don't think of anything else just now.

MRS. DORA DENNIS—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

Mrs. DORA DENNIS (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?

The WITNESS. Do you mean what gentleman I live with or what county?

Mr. CAMERON. In what county?

Answer. In Dyas Township, Laurens County.

Q. How long have you lived there?

The WITNESS. In that town, do you mean?

Mr. CAMERON. Yes.

A. Ever since I was a little girl—not with the same gentleman that I stay with now.

Q. What gentleman are you living with, now?—A. Well, I was living with Mr. Degg, but he wa'n't the gentleman I was living with at the time my husband got killed.

Q. Now tell us about your husband being killed; when it happened and how it happened.

The WITNESS. When he was shot?

Mr. CAMERON. Yes.

A. I will tell you first when the time was. He didn't die right at the time he was shot. He was shot on the 20th of August—about 11 o'clock in the night, as well as I can judge—and died on the 22d of August.

Q. Tell us who shot him.—A. As well as I can. There was about thirty or forty came there, but I don't know all the gentlemen; I wouldn't undertake to tell you all of them.

Q. Were they all white men?—A. Yes, sir: they were white men.

Q. What time in the night did they come to your house?—A. Well, I could not tell you exactly when the time was. I went up to my brother-in-law's place, about half a mile from my place, and I staid up there a good while after they shot my husband, and when I went back it was about twelve o'clock in the night I should judge. It was about eleven o'clock when they shot him.

Q. What did they say?—A. They called him three times before he answered; and they said to him to strike a light. I got up and made a light and they called him to go to the door, that they wanted to talk with him, and he went to the door.

Q. What did they say to him when he went to the door?—A. They said to him, "Do you know anything about Cain;" and he said, "No, sir." He said, "You don't know Cain;" and he said, "No, sir."

Q. Who was Cain?—A. Cain Garlington [or Garland] they was talking about, but he said, "Cain," and so my husband he didn't know what they meant, and he said, "No, he didn't know Cain," and they said, "Come out in the yard;" and my husband said, "I can't go out there, it is raining, and I havn't got any clothes on and I will be cold;" and they says, "No matter; come out in the yard; you will be colder than that in less than an hour or so;" he stepped out in the yard, and he says, "Now, are you going to tell us about Cain?" My husband says, "No, sir; I knows nothing about Cain;" and they says, "You don't want to die with a lie in your mouth do you?" and he says, "No; but it seems very much like to my mind that you are going to make me die anyway;" he says, "I will tell you something; we are going to call off the roll and have you killed;" and he says, "I will have to go then, but I don't know anything and I can't tell you nothing;" and he said, "Every man to your place," and they shot him down right at the door in the yard, and shot him twice.

Q. Can you give the names of the men that were there?

The WITNESS. Of those that I know?

Mr. CAMERON. Yes.

A. Yes, sir; John Kellett [or Kelly] is the man that called him out and talked to him.

Q. Where does he live?—A. He got married since Christmas, and

lives now at Sally Jane Owens's, but his place is in the big road, about a mile and a half from where I live. I was raised up there. And Chris. Owens he was another one.

Q. Where does he live?—A. A mile and a half above the Dyas meeting-house; he keeps a store. And Butler Putnam was the next.

Q. Where does he live?—A. Over on the stage road.

Q. Any other ones that you know?—A. Bill Godfrey.

Q. Where does he live?—A. Right there in Dyas Township, next to the church.

Q. What else did any of those white men say to your husband before they shot him?—A. They rode up in the yard and none of them spoke; they didn't none of them talk to him but John Kellett. He was the man that called him out, and he was the man that talked to him, but these other three men stood right close next to him, and I was in the house. It was raining very hard outside, and it was dark out doors, and I could not tell them except them that was standing right at the door. These others were placed around near the fence.

Q. How long did they talk to your husband before they shot him?

The WITNESS. After they called him out?

Mr. CAMERON. Yes.

A. They talked to him, I should think, a half-hour before they ever shot him.

Q. And then Kellett said, "Every man to his place"?—A. Yes, sir; he said, "Every man to his place."

Q. Where did your husband stand when he was shot?—A. At the outside of the door, at the dropping. It was raining very hard, and they shot him down right at the drop of the house, and after they shot him this fellow that they called Kellett put his head down to my husband's breast and said, "By God, boys, he is dead; let's go just as quick as we can get off from here;" and they turned him over and left him under the dropping of the house; but he wasn't dead, though.

Q. How long did he live after he was shot?—A. He was shot Sunday night about eleven o'clock and he lived until Tuesday at two.

Q. Was there any person at the house except your husband and yourself?—A. No, sir; not nobody else at all but just me and him.

Q. You had no other family?—A. No, sir.

Q. What, if anything, did they say about the number of negroes that they intended to kill?—A. They said, when they asked him about Cain, and he told them that he didn't know anything about him, they said they intended to kill twenty-five negroes for every white man that got shot.

Q. Kellett said this?—A. Yes, sir; Kellett said that he intended to kill twenty five negroes to every white man that got shot.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Who was Cain Garlington?—A. He was a black fellow; but that didn't concern anything of my affairs. He was accused of breaking into John Godfrey's house, and John Godfrey waylaid the road to shoot him, and shot at him twice, and Cain shot at him and hit him, and he missed Cain.

Q. Did they charge your husband with having anything to do with that matter?—A. No, sir; my husband was with Cain Garlington on a Saturday before that at Mr. Switcher's, and they accused Cain of telling my husband that he was going to shoot Godfrey, and they undertook

to make him tell what Cain had told him, and Cain hadn't told him anything at all.

Q. They didn't suspect that he was in company with Cain?—A. No, sir; they knewed that he wasn't, and had nothing to do with it, because the white people were all gone where we lived, and my husband was tending to the white people's things. He was at home at the time that Godfrey was shot, but they thought that Cain had told him something about it beforehand by their running together.

HARRISON HUNTER—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

HARRISON HUNTER (colored) sworn and examined.

By Mr. CHRISTIANCY :

Question. Where do you live?—Answer. I have been living at Laurens before the election, until about a week ago, I moved up here, and have been up here stopping about thirteen miles above Laurens Court-House, at Tumbling Shoals.

Q. What is your age?—A. Going on twenty-three.

Q. How long have you lived there in Laurens County?—A. I have been living in Laurens all my days until into Christmas; then I moved up there.

Q. Did you attend the election on the 7th of November last?—A. Yes, sir.

Q. At what place?—A. Out at Hampton's box. I was deputy marshal up there.

Q. Well, sir, at that time or at any other time, did you see or hear any threats made by the white democrats against the colored republicans?—A. Yes, sir.

Q. Then state what you saw and heard.—A. I heard them say when the colored republicans came up to vote that if they voted the republican ticket they couldn't stay on their place and they couldn't get a home in the county.

Q. You heard them say that.—A. I heard the white democrats say that every one that voted should not live on their place and should not have a home in the county nowhere. They said they had clubs made up for that business, and no man could get a home but just democrat men, and couldn't get a home in the county nowhere.

Q. Were there any threats of violence at the election?—A. Yes, sir; they just threatened to shoot me there that day.

Q. Describe how that was.—A. I was there on election-day, and they asked me what was I, and I told them I was marshal that day. They asked me what ticket I intended to vote, and I told them that I intended to vote the republican if I lived long enough to vote it. They said they allowed to kill me, and John Franks did snatch his pistol out, but a fellow up there got hold of him.

Q. And prevented him?—A. Some of the fellows there kept him down; the democrats kept him down. He said he was going to get me anyhow.

Q. You did vote there?—A. Yes, sir; I voted there just a little while before sundown.

Q. Were there any United States soldiers about there?—A. They was not there; I was the only one that was there; I was by myself.

Q. But United States soldiers—Yankee soldiers? A. No, sir; there was not a soul there that went from Laurens Court-House but me. That was at Hampton's box, about sixteen miles from Laurens.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Upon the whole they treated you pretty well?—A. They treated me tolerable well up there.

Q. Did they get a big vote up there?—A. There was on the white man's side; there was not many radical votes cast there; they were scared to vote, most of them, and a heap of them went back home, that was scared to vote.

Q. How many went back home?—A. I don't know; I don't know how many there was, but I reckon there was about thirty went.

Q. How do you know that that was so?—A. One of them told me he was scared to vote the republican ticket, and he said he wouldn't vote the democratic ticket.

Q. You hear any of the white men tell the colored men that if they voted the republican ticket they would turn them off, or threaten them in any way?—A. No, sir; I heard the colored men saying that they couldn't vote.

Q. You didn't hear the white men say that?—A. I heard the white men say that if they voted what they would do with them.

Q. Who were they?—A. I don't know exactly who they all was; I couldn't give the names. Joe Frank was one.

Q. How many votes were polled there?—A. There was three hundred and something—just exactly three hundred, I think, in the whole—

Q. You were a deputy marshal?—A. Yes, sir; I was deputy marshal up there.

Q. You did not know how to perform the duties of deputy marshal, did you?—A. Yes, sir; I knowed my duty about that mighty well.

Q. Can you read and write?—A. I can't write any; I can read a little.

Q. Very little?—A. Yes, sir.

Q. Can you read writing?—A. No, sir; not handwriting.

Q. How old are you?—A. Going on twenty-three years old.

Q. How did you happen to be deputy marshal there?—A. Because nobody else would hardly go; the rest of them was all scared to go, and, sure enough, I went. They tried to get two or three to go, and they wouldn't go.

Q. You were not afraid?—A. I was a little scared, but I went, anyhow.

Q. They didn't hurt you?—A. No, sir; they didn't hurt me, but they was threatening to do things.

PRINCE CHOICE—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

PRINCE CHOICE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live in Laurens County, Dyas Township.

Q. How long have you lived there?—A. Seven years.

Q. How old are you?—A. Forty-seven.

Q. Are you a republican?—A. Yes, sir.

Q. Were you visited by any armed white men before the election?—A. Yes, sir.

Q. Well, now go on and tell the committee about that.—A. On the Saturday night before the election was, they visited me; a good many of them.

Q. About how many?—A. Well, I expect near about a hundred.

Q. Were they armed?—A. Yes, sir.

Q. Did they come there on horseback?—A. Yes, sir.

Q. Well, what did they do to you or say to you when they came there?—A. They axed me where was the arms I had, and I told them I had none, and they axed me where was the pistol I had bought, but I told them I hadn't bought nary one; and I axed them who told them that I bought a pistol, and they said that wasn't the thing; and I told them that I had none; that I had no use for none. So they took me out of the house and sat me up on a stump, and all went down the road apiece and talked a right smart while.

Q. What else did they say to you?—A. They axed me who I was going to vote for, and I told them I was not going to vote for any person, and I didn't vote.

Q. What else did they say to you?—A. They said, "Ain't you going to vote?" And I said, "No, sir."

Q. What else did they say to you?—A. They axed me was I intending to vote at all, and I said, "No, sir." "Well," he says, "if you ain't going to vote for anybody, go on back." So I went on back then.

Q. What time of night was it when they came to your house?—A. Well, I expect it was eight or nine o'clock. I heard them coming along before they got there, and I wasn't scared no way, because I knowed I hadn't done anything to anybody, and I had a very good name in the settlement, too.

Q. Did you know any of the white men who came there?—A. Well, I do not know, sir; it was not more than fifteen or twenty minutes, I reckon, between the first company and the last one that came. They didn't get off their horses at all.

Q. What did the last company come?—A. There wasn't more than a half an hour's difference between them.

Q. How many in the last company?—A. About forty, and in the first company about sixty; about one hundred in all.

Q. What did they say to you when they set you up on the stump?—A. They asked me if I was going to vote for Hampton, and I told them no; I wasn't going to vote for anybody.

Q. How far did they take you down the road?—A. I reckon about one hundred yards.

Q. Then they asked you the question whom you were going to vote for?—A. That was the time that they axed me—that they set me on the stump; they didn't say anything particular to me, only just what I have told you; but I was a heap scared, though.

Q. How were they armed; were they armed with guns?—A. They didn't have but one gun in the company, but they had pistols and presented them at me. I axed them in the house; they didn't break in nor nothing.

By Mr. MERRIMON:

Q. They didn't hurt you?—A. No, sir.

Q. They didn't do anything to you in any way?—A. No, sir; they didn't do anything with me only just as I have told you.

JAMES SAXTON—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

JAMES SAKTON (colored) sworn and examined.

By Mr. MERRIMON :

Question. What is your age?—Answer. About forty-two

Q. Where do you live?—A. In Laurens County, sir.

Q. What is your business?—A. Farmer, sir.

Q. Where were you at the election?—A. At Clinton.

Q. What ticket did you vote?—A. The democratic ticket.

Q. Did anybody force you to vote it?—A. No, sir; I voted it on my own will.

Q. They didn't hire you to vote it?—A. No, sir.

Q. Did you see any armed men there?—A. No, sir.

Q. Did you see anything done to intimidate colored men or to make them vote the democratic ticket?—A. Not a thing, sir.

Q. Did you hear any threats made to republicans?—A. No threats; not a bit.

Q. Any threats made by republicans to the democrats?—A. Yes, sir.

Q. State anything you know about that.—A. Well, sir, I am a class-leader up in the settlement, and I am licensed to exhort, and I had an appointment on Sunday night, (that was before the election,) and I had went with the session up to Laurens, (the village,) and on Sabbath night I had just stepped out of the doors. They had several of them been exhorting, and they had called on me to bring the meeting to a close with a few remarks. I got up and commenced talking, and just as soon as I commenced they ran out of the house and would not hear me, and I brought my remarks to a close just as quick as possible. I had to go out of doors, and as I stepped out a man stepped along after me, and just before he got to me he stopped and I turned around and came back to the house, and he walked up to me and says, "How are you, Mr. Saxton?" He spoke very familiarly. Says I, "I am tolerable well; how are you?" He says, "I am well." He says, "There was a great many men at Laurens Court-House;" and I told him, "Yes, there was a great many men." He says, "Is you going to vote the democratic ticket?" I says, "I ain't said what I was going to vote, and this is no place to come to talk about such things, at a meeting." And there was another fellow standing present, but I didn't see him—standing right in the corner—and he just ripped out an oath and says, "Yes, God damn him, he will vote the democratic ticket;" and the other fellow just stepped off from me and walked to a squad of men that was a piece away from me; and they was a talking, and I couldn't understand what they was saying, and they began cursing me and talking about shooting me; and I says, "What is this talk about shooting? I haven't got a pistol, and I haven't even got a pocket-knife;" and I says, "This isn't no place to talk about any such thing as that; if you don't stop I will have every one of you arrested." This same man reached his hand behind him and jerked his pistol out, and as he did so Henry Craig run up and caught him and took and carried him off away from me.

Q. What did they do that for?—A. Just on account of my principles; just because I was with the session, and said I would vote the democratic ticket and so on.

Q. Did many colored men vote the democratic ticket where you were?—A. Yes, sir.

Q. How many?—A. I think about four hundred voted it at Clinton.

Q. Did you belong to a democratic club?—A. Yes, sir.

Q. Were you disturbed anywhere else on account of your principles?—A. Yes, sir.

Q. Well, how were you disturbed?—A. They sent for me to go to a wake—a little child had died in the neighborhood—and I went down as they requested me to do. When I got there, I noticed in the house, when we went in, that there was a great flare made, but I went in just as quiet as I could be, and didn't want to disturb them or make any interruption, and have it to say that the class-leader was making interruptions; and one of the women that was in the house there, she commenced laughing when we got down to pray; and my wife looked around and says, "You have got nothing to laugh at," and she just began to laugh worse, and I just brought the prayer to a close as quick as possible and says to my wife, "Give me a pipe full of tobacco, and get your bonnet and let's go home." And some of them says, "Who was it that laughed here?" and they said it was Lou Davis; and she then ripped out on me and says, "You God-damned son of a bitch, you got no business here amongst us; we don't want you to come here; we don't want you to come to our meeting any more;" so I just got up and came out; and to tell you the truth, gentlemen, I hain't been to my church in three months, just to keep from getting into fusses with them.

They have no use for me. I didn't raise no disturbance with none of them, and all the citizens of my county there charged me particularly not to start no fuss with them, and to go along quietly and peaceable.

Q. Was Henry Craig a democrat?—A. No, sir; he was a republican.

Q. But he took the pistol away from that man there?—A. Yes, sir; and another man by the name of Owen, he took it up; he seed the fellow was in the wrong, and I was only one, and he saw it; he struck that fellow and run him off, and he was as strong a republican as there is.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Then Craig and this other man did not want you shot?—A. No, sir, they didn't want me shot; it seemed like that, and they taken my part.

Q. One of them threatened you and took his pistol out?—A. Yes, sir.

Q. That was about all there was of that fuss?—A. Yes, sir; that was all.

Q. Who is this Lou Davis?—A. She was a sister-in-law of mine; that is, my wife's sister-in-law.

Q. When you got down to pray she laughed?—A. Yes, sir; making fun to hear a democrat praying among them.

Q. She said it was funny to hear a democrat pray?—A. Yes, sir; that's so.

By Mr. MERRIMON:

Q. If the republican darkies had prayed a little more they would not have behaved so badly, would they?—A. I think they wouldn't.

By Mr. CAMERON:

Q. How long have you been a democrat?—A. I have been a democrat all the time. I voted the republican ticket once in the other election before this last one.

Q. O, you have been a democrat from the time of emancipation, have you?—A. Yes, sir; or pretty much the same thing.

Q. You are not a new convert to democracy?—A. No, sir.

Q. How many votes were cast at Clinton?—A. Well, I think there was—amongst the colored people, do you mean?

Q. No; in all.—A. Well, about one thousand votes, I think.

Q. How many white people voted there?—A. I can't account for how many did vote there. There was a great many of them voted, and colored people too.

Q. You can give us some idea of the number of white people that voted there, can you not?—A. I reckon there must have been about five thousand, and the democrats just, I think, only beat fifty votes there. I never seen a fairer election in my life.

Q. Were you there all day?—A. I was there all day, from the beginning to the last, when they wound up.

Q. Were you very active in favor of the democrats?—A. Well, not much, sir.

Q. Did you distribute votes?—A. Yes, sir; some.

Q. Did you talk to your colored brethren and tell them how they should vote?—A. No, sir. I am a fellow that they was hard down on, and I was afraid to say much. I thought I would go along and do my voting, and they could do as they pleased.

Q. About how many colored democratic votes were cast there that day?—A. I think about four or five hundred votes. I expect there was more than that, but I just say that.

Q. How many republican colored votes were cast there?—A. There was a great many.

Q. About how many?—A. I reckon there was about two hundred voted there.

Q. And about four or five hundred colored democratic votes?—A. Yes, sir; there was a great many voted it there.

Q. And you were afraid that you would be injured there that day?—A. Well, sir, I didn't want to have no interruption in any way.

Q. Didn't you think the four or five hundred colored democrats could whip the two hundred colored republicans who were there?

The WITNESS. Didn't I think they could do it?

Mr. CAMERON. Yes.

A. I didn't want to be the beginning of any fuss there. I thought I would just attend to my own business.

Q. What was your business there that day?—A. To go there to vote.

Q. Did it take you all day to vote?—A. No, sir; I just staid there and looked around.

Q. You had no business, though, there, had you?—A. No, sir; I had no business.

Q. What time in the day did you vote?—A. It was about seven o'clock in the morning.

Q. And you staid there until after six o'clock?—A. About six o'clock.

Q. Had nothing to do?—A. I had nothing to do but looking around at the people.

Q. How do you know anything about the number of colored men who voted the ticket there?—A. I heard them call their names from the box, and I seen many a one of them put their tickets in. I staid right there and looked right at them.

Q. How could you tell whether they voted the republican or democratic ticket?—A. The republicans had a folded ticket, and the democrats went to the box with them unfolded.

Q. You voted the unfolded ticket, did you?—A. Yes, sir.

Q. You watched the democrats and saw them vote the democratic

ticket, did you?—A. Yes, sir. I didn't want anybody deceived that that was my principle.

Q. Why are you a democrat?

The WITNESS. Why is I a democrat?

Mr. CAMERON. Yes.

A. Because I think it is best.

Q. You believe it is best, do you?—A. Yes, sir; I am living with the democrats and they are my help, and we are all living together.

Q. You are living with the democrats, and they are your help?—A. Yes, sir.

Q. And that is your reason for voting the democratic ticket?—A. Yes, sir; that is my principle. I know it is right.

Q. It is your principle to vote the democratic ticket because the democrats are your help?—A. Yes, sir; the democrats of course was all of our help.

Q. On whose land do you live?—A. On Dr. Bill Shanzey's.

Q. Is he a democrat?—A. Yes, sir.

Q. How much do you pay him?—A. I just give him half of all I make; and he gives every one of the rest, republicans and all, the same.

HENRY GARLINGTON—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

HENRY GARLINGTON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. I live at Mr. Sampson Mehaffey's.

Q. What county?—A. Laurens County.

Q. How far from Laurens Court-House?—A. Twelve miles.

Q. How long have you lived there?—A. Well, I just went there since Christmas.

Q. Christmas of this year—last year?—A. Yes, sir.

Q. Where did you live before?—A. At Drake Mehaffey's.

Q. In what county is that?—A. Just in the same county.

Q. How far from the court-house?—A. About twelve miles and a quarter, I reckon.

Q. How old are you?—A. Twenty-three.

Q. Which political party do you belong to, the republican or democratic?—A. The republican.

Q. You may tell this committee whether or not any armed white men went to your house before the election.—A. Well, the Saturday night before the election they came there.

Q. About how many were there, do you think?—A. Well, I reckon, as near as I can get at it, to my best judgment, about thirty or forty.

Q. Were they white men?—A. Yes, sir.

Q. Did they come there on horseback?—A. Yes, sir.

Q. Were they armed?—A. Yes, sir.

Q. What were they armed with?—A. Pistols.

Q. What did they say and do when they came to your house?—A. Well, they came and called for me, and I got out away from there, and one of them shot off a pistol, and I got out behind the house; my wife and children was in there, and I was behind the house. I heard them

say to her to tell me that if I went to the election and voted that they allowed to kill me.

Q. About what time of night was that?—A. About eleven o'clock, I think, as near as I can make it out, sir.

Q. Did they follow after you?—A. No, sir; they didn't know where I was, I don't guess. I went out and made my escape to get out.

Q. They told you if you would go to the election and vote they would kill you?—A. Yes, sir; they would kill me, and they pulled out their pistols, and said to my wife what they allowed to do, and I was there and saw it.

Q. Do you know whether the white men rode through the county at any other time except that? Did you see them riding through the county?—A. O, yes, sir; they rode very often, all the time, nearly.

Mr. MERRIMON. How do you know that? Now, don't state anything you didn't see.

Q. Did you see them riding at any time?—A. O, yes, sir.

Q. (By Mr. CAMERON.) About how many times did you see them riding?—A. Well, I saw them two or three times.

Q. How many in a company?—A. Well, in the day-time there was not, I don't reckon, any more than about twelve or thirteen.

Q. Did you notice whether they were armed or not?—A. No, sir; I didn't notice.

Q. Do you know of their stopping at the houses of any other colored men?—A. Yes, sir; at my next neighbor's house over there, and that was Turner Hammond.

Q. Did you see that?—A. No, sir.

Q. Did you vote at the election?—A. Yes, sir.

Q. Where did you vote?—A. At Laurens Court-House.

Q. What time did you go to Laurens Court-House on the day of the election?—A. Well, sir, when the row was there at my house on Saturday night I didn't stop at the same house that they broke the door down; I went on up to my mother-in-law's, and staid there with them, a quarter of a mile from there, I reckon. I went on up to her house and staid the balance of the night. That Sunday morning before the election I went on to Laurens Court-House, and I never came back until a day or two after the election. They threatened to kill me, and I didn't want to come right straight back.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. What did they have against you anyhow?—A. I do not know anything that they had against me, only my principles, that I know of.

Q. You were a very quiet man, were you not? You were not much of a politician?—A. No, sir; I ain't no politician at all, but if they came to questioning around I just told them what I was; that was all that I bothered my head in politics about.

Q. They didn't charge you with doing anything wrong?—A. No, sir.

Q. How long was this before the election?

The WITNESS. That they broke in my house?

Mr. MERRIMON. Yes.

A. It was Saturday.

Q. It was the Saturday night before the election?—A. Yes, sir.

Q. When you saw these white men moving about, where were they? You said you saw white men riding about in gangs.—A. They were going along the road.

Q. Where had they been?—A. I allow that they had been over to the church over there.

Q. To a club-meeting?—A. Yes, sir.

Q. Did you see that more than once?—A. I don't remember seeing the same men more than once that day.

Q. Was that the Saturday before the election?—A. Yes, sir.

Q. That was the only time you saw them riding?—A. No, sir; I saw them riding before that, but then I didn't know that that was anything at all.

Q. They were just traveling along the road?—A. Yes, sir; in crowds.

Q. In the day-time; how many of them?—A. Well, about twelve or thirteen of them in a gang. That was Saturday before the election I saw them.

Q. You voted at Laurens Court-House?—A. Yes, sir.

Q. And you voted the republican ticket?—A. Yes, sir.

Q. Did you see any gangs travelling on the road at any other time except on Saturday before the election?—A. Yes, sir; I saw a great many about a month before that, though; I guess they was going to a political speaking.

A. C. HASKELL—THE STATE.

COLUMBIA, S. C., *January 11, 1877.*

A. C. HASKELL recalled.

THE WITNESS. I have understood that some testimony has been given before the committee in reference to my making a speech in this place on the 16th of August, 1876. I wish to say that I made no speech on that occasion at all, and I would like to have the privilege of reading extracts from the Union Herald and the Register of Columbia, and the Charleston News and Courier of the 17th of August, each of which contains a report of that meeting, and none of them mention my name among the names of the speakers on that occasion. I was chairman of the county executive committee on the 16th of August, and was a delegate to the convention. I left the convention to conduct the procession to the stand, and simply introduced some of the speakers. I made no speech whatsoever, and in corroboration of my testimony on that point I ask leave to read the reports from the papers I have mentioned.

[The witness then read paragraphs from the three papers named, giving the names of the speakers upon the occasion mentioned, among which witness's name did not occur.]

There is one other point that I desire to state to the committee in support of my testimony hitherto, in the matter of the invitation for joint discussion; I wish to reiterate the only point in that case. I have no doubt the correspondence was correctly reported by Mr. Elliott with the exception of one letter from Mr. Cardozo, which was not in the tone of our general correspondence. The only point upon which an issue rested was that Hampton could not depart from the line of his pre-engagements. Upon that the whole agreement was dissolved, and we were unable to carry it out. We consented very cheerfully to all of Mr. Elliott's details of arrangement.

By Mr. MERRIMON:

Q. The chairman of the republican executive committee, Robert B. Elliott, was examined before this committee the other day, and in the

course of his examination he went on to give the committee some of his speculations about the general result of the late election as affecting the two parties respectively. He spoke of the general result, and made particularly this point: that the white vote as distinguished from the black vote, where it was distinguished—and it was so distinguished except in some two or three counties—was in excess of the registered white vote—I believe he said something over 6,000 votes. He also called the attention of the committee to the excess of the democratic vote over the census-returns of the voting population of Edgefield County in particular. He also spoke of Laurens County, and referred incidentally to one or two counties where the republican vote was in excess of the census vote—probably in Beaufort and one or two other counties, where the republicans had a majority. The committee consented that you should be allowed to make a like estimate from your stand-point, and give the committee an explanation of the general vote of the State, and particularly of Edgefield and Laurens Counties, and any other county you may deem it proper to comment upon. I will ask you now to give the committee such facts, figures, and points as you can.

[Preliminary to answering the question, witness submitted the following tabular statement:]

Counties.	White census, 1875.	Hampton's vote, 1876.	Chamberlain's vote, 1876.	Colored census, 1875.	Colored vote, 1876.	Chamberlain's vote, 1874.	Green's vote, 1874.
Abbeville	2,928	3,852	3,669	4,951	4,473	4,181	2,486
Aiken	2,494	3,221	2,495	3,473	.....	2,358	2,320
Anderson	3,329	4,155	1,124	2,215	1,858	1,762	2,534
Barnwell	2,583	3,956	2,778	4,734	3,763	3,797	2,320
Beaufort	1,760	2,274	7,604	8,241	.....	4,778	2,076
Charleston	7,398	8,809	15,032	17,687	.....	8,727	11,393
Chester	1,604	2,005	2,404	3,290	2,813	2,630	1,364
Chesterfield	1,543	1,631	985	1,199	1,081	918	1,122
Clarendon	1,171	1,436	1,881	2,202	2,046	737	1,895
Colleton	2,478	2,984	4,163	4,217	.....	3,539	2,106
Darlington	2,362	2,752	3,507	3,747	3,714	3,729	1,851
Edgefield	2,722	6,267	3,167	4,400	.....	3,398	2,900
Fairfield	1,451	2,159	2,832	3,370	3,366	3,022	1,478
Georgetown	643	1,058	2,787	3,119	3,118	1,821	753
Greenville	4,165	4,172	1,729	2,146	2,085	1,879	2,288
Horry	1,696	1,939	588	712	693	597	1,288
Kershaw	1,285	1,757	2,063	2,421	.....	1,983	1,264
Lancaster	1,330	1,541	1,236	1,364	1,344	1,169	1,137
Laurens	2,259	2,916	1,804	2,844	.....	2,892	1,815
Lexington	2,031	2,129	1,256	1,378	1,313	1,156	1,562
Marion	3,081	3,149	2,492	2,883	2,619	2,343	2,525
Marlborough	1,583	1,945	1,608	1,925	1,864	1,841	1,322
Newberry	1,725	2,196	2,761	3,254	3,139	3,181	1,476
Oconee	2,046	2,083	524	703	631	582	1,238
Orangeburgh	2,181	2,870	4,469	4,384	4,801	3,779	2,014
Pickens	1,815	2,002	406	545	512	591	745
Richland	2,162	2,435	3,857	5,036	4,212	3,974	1,491
Spartanburgh	4,367	4,677	1,467	2,015	1,798	1,540	2,657
Sumter	1,827	2,382	3,859	4,362	4,295	758	4,091
Union	1,979	2,519	1,750	2,356	2,168	1,810	1,993
Williamsburgh	1,412	1,757	2,443	2,576	.....	2,313	1,243
York	2,789	3,233	2,447	2,995	2,901	2,588	2,067
Total	74,199	92,261	91,127	110,744	60,607	80,403	68,814

Answer. If I understand the nature of the evidence that is now desired, I shall be very brief, and only set before the committee a very few figures.

I had expended a large amount of labor in preparing figures upon this question, but unfortunately lost them, and my indisposition did not allow me to do the work over again.

I would ask the attention of the committee to one fact: that the counties which exhibit the largest colored democratic vote are counties in which the colored vote is in a large majority; that those counties in the State which are strictly and absolutely democratic, where the whites are either in the majority or very nearly so, are generally the counties in which we obtained the smallest black vote. If the committee will allow a reason to be suggested, I would say in the counties where the vote was so nearly divided, or where the white vote was in the majority, the hardships of the case were not so keenly felt, and there was less effort made on the part of the white people in the election; and in the upper counties the colored people were possessed of more property, and had more disposition to join us as property-holders than elsewhere. I ask the attention of the committee to that fact, that the strong colored vote that we obtained was in the counties where the colored vote was in the majority. Abbeville is an instance of it.

By reference to the table it can be easily ascertained what other counties are in a similar condition. The whites were in the majority in Anderson County, and Anderson was the leading county in the campaign, and did exercise every effort in the campaign. James A. Hoyt, the editor of a newspaper, was one of the originators of the movement.

Barnwell was 985. There we have, I believe, the testimony of General Hagood, who was the chairman there. He has already been before the committee with all the details.

Chester was 409; whereas in Chesterfield, where the whites are in the majority to the extent of nearly 400 even by the census, the colored vote for Hampton was only 96, so far as we can ascertain.

In Clarendon, where the vote is about even, it was 165.

Darlington was 207.

In Fairfield, where the republicans have a very large majority, the colored votes for Hampton were 534. I will explain in a moment the grounds upon which I speak of the colored votes for Hampton.

Georgetown was 331, where the census gives the white people 643 votes and the colored 3,119.

In Greenville, where the case is almost reversed, there were only 356 colored votes for Hampton.

In Horry, where the whites are in a considerable majority, the census gives 1,696 whites and 712 colored, and the number of votes for Hampton in 1876 was 1,939. These items I take from the official returns.

In Lancaster the census makes them nearly even, there being a difference of only 34 in favor of the colored; but our estimates make the white vote much larger than the colored. Our rosters were only 108 colored votes for Hampton.

In Lexington, which is over the river here, the whites are in a large majority—2,031 whites, and 1,378 colored; there we have only 57 colored votes for Hampton.

In Marion, which was easily democratic, the whites being in the majority, the estimate of the colored vote for Hampton is 127.

By Mr. CHRISTIANCY:

Q. When you speak about a majority of colored votes for Hampton you draw that inference from something aside?—A. Yes; I will explain that in a moment. The basis upon which I rest that is this: In twenty-four counties the colored vote is reported. The law is that poll-lists

shall be kept on which the names of the voters shall be enrolled, and one list shall contain the names of the colored voters, and the other the names of the white voters. That is the statute, and it was executed generally. Twenty-four counties have by law made their returns, and eight counties have not. In those counties that have made their returns I have put down the whole colored vote and deducted the vote of Mr. Chamberlain from the colored vote. Here and there a small number of whites voted for Chamberlain, and those are deducted from the white roster; but in the end it brings it to a very even estimate to put them down as the Chamberlain vote colored and the Hampton votes white and colored. The only difference it can make is this: that the number of colored voters for Hampton is larger than I make it by this estimate. I presume it is in the aggregate two or three thousand larger than I make it by this estimate, but I adopt for Hampton the lowest estimate of the colored vote in that way. In the twenty-four counties from which returns have been received the whole number of colored votes cast is 60,607, where the poll-list is returned properly.

By Mr. MERRIMON:

Q. Distinguishing between whites and blacks?—A. Yes, sir. The colored votes polled in those twenty-four counties out of the thirty-two is 60,607. Mr. Chamberlain's vote in those counties is 8,191 less than the poll-list of colored voters. We assign this 8,191 to Hampton. I presume from 1,000 to 1,500 added to it would be the correct estimate for Hampton, but I am confining it to the figures to balance the white votes which went to Chamberlain.

Eight counties did not make that distinction in their poll-lists. They put them indiscriminately on the lists, making no distinction between the whites and blacks. Those eight counties are Aiken, Beaufort, Charleston, Edgefield, Kershaw, Laurens, Williamsburgh, and Colleton.

Now, on that point I can testify of my personal knowledge that the failure to make those returns with distinct poll-lists was against every effort made by the chairman of the executive committee of the State. We especially desired poll-lists, and urged them, but were not able to obtain them from those eight counties. The failure was caused by no act on the democratic side.

By Mr. CHRISTIANCY:

Q. So far as you know?—A. So far as my authority goes, and I believe it was usually obeyed. All the counties in the State were under the control of a majority of republican canvassers and managers, and the failure has been theirs.

I submit, therefore, as a proposition, that the *onus* of the absence of true returns rests upon the republican party, and that we are reduced to estimates now from data which are now in our possession.

Taking the twenty-four counties which were returned, I would ask leave of the committee to say that I am simply and solely testifying here upon figures without any preconceived idea of their results. I may be entirely in error in my figures. My indisposition perhaps prevents me from calculating well, but I labored at these figures day before yesterday without an idea of the result which has been obtained.

The colored vote, as I said before, is 60,607, of which 8,191 were for Hampton, so that Chamberlain's vote in those counties was 8,191 less than 60,607. We contend, of course, that he received little or no white vote in the State.

Q. All that is inference.—A. Yes, sir; it is. I am only submitting my reasoning upon the figures. The proportion of 8,191 to 60,607 is

$\frac{10}{74}$ of the aggregate. I submit, very respectfully, that the argument that that view presents from the figures shows that the ratio of colored voters for the democratic side is greater in those counties where the colored majorities preponderated most largely; but basing it upon the figures which we have been able to obtain, the ratio being $\frac{10}{74}$, we see by the returns of the secretary of state that Mr. Chamberlain received, in the remaining eight counties, 38,711 votes. If the $\frac{10}{74}$ be the correct ratio the total colored vote cast in those counties is 44,759; add that to 60,607 and it gives 105,366 colored votes cast in this State at the late election, which is within 5,000 of the census returns, which put their number at over 110,000.

By the same ratio the number of Hampton votes in these eight counties—we think it was really larger—but adopting the same ratio it puts the vote in those eight counties at 6,046, which, added to 8,191 in the twenty-four counties, gives him 14,237 colored votes in the State, and that leaves Mr. Chamberlain 91,129. I confess that I was surprised by the result of my own figures, because the vote returned for him is 91,127. My arithmetical result arrived within two of the actual returns.

On that point I beg leave respectfully to refer the committee to the census of 1875, and will only state the results of my figuring. I have not the figures which I had worked out with care. If the committee will examine the census they will ascertain, by running the proportions throughout, that the returns for the males of the colored race between sixteen and twenty-one years of age do not agree with the ratio throughout the census. It is between four and five thousand less than it should be according to the rules which run throughout the census. I respectfully submit that this was first called to my attention by a very expert statistician whom I asked to examine the census. He is the cashier of one of the banks here in Columbia, Mr. Sawyer. I had not his figures, and went through it myself, and my result was nearly the same as his—about five thousand less males between the ages of sixteen and twenty-one than there should be according to the rules run throughout the census. We claim and always have claimed at elections that an unusual number of this colored race voted before they were twenty-one years of age.

Allow me to make this suggestion: that the census was made exclusively by republicans and generally by colored men; and that they are charged with having made a distinction and favored their own race by putting them down as being over twenty-one when there was any doubt; and I submit, further, that the rules obtained from former censuses develop that error to the amount of about five thousand. That diminishes the republican vote on that side by from three to four thousand if their names were excluded. We do not suppose that they all went to the polls, but perhaps three thousand of them did go. I throw that in as a collateral point upon which we can rest to strengthen the correctness of our conclusions.

I beg leave to testify further in regard to the census that the rosters, so far as I have been able to obtain them from the counties—the rosters which the democrats undertook to make to arrive at an idea as to the result of this campaign—have shown generally throughout the State an increased white vote. There are instances where the increase of the white is but small, but I do not remember any instances that were brought before my notice in which it was not shown that the colored vote was larger by the census than we could make it by our investigations and returns. This corroborated our views as to the inaccuracy of

the census. This is not direct evidence, but it only supports the conclusions at which we arrived.

Mr. CHRISTIANCY. None of this is evidence.

The WITNESS. No, sir; this is simply an opinion—simply a narrative, based upon my observation.

We submit that if the charges generally made against us, of intimidation, were true, the evidence of 105,366 colored votes having been cast is a denial stronger on its face than any personal testimony can be.

Admitting, for the argument—though I would not admit it as a witness, for I do not believe it—that there may have been threats made for the purpose of intimidation, yet, if they were made, they were entire failures, because the colored vote is within 5,000 of a declared census, and, we think, is up to the full figures of the whole colored vote, and over, making no allowance for sick or helpless or absent. It is larger, by thousands, than any colored vote hitherto cast in this State. Eminent republicans—none more so than Mr. Elliott, the chairman of the republican committee, who is one of the most expert politicians who has ever been in this State, and has devoted his life to these things since he has been here—claimed that the vote of 1874, which was a very strong one throughout the State, was a test vote. I shall not stand upon that, because I know the fact that throughout the upper country it was not a test vote. The white people throughout the upper country voted very sparsely for Mr. Green. He was adopted by the leaders, such men as General Kershaw and General McGowan and other leading men throughout the State. I was not a leading man, but I represented that mass of the people who did not adopt it throughout these upper counties. It did not excite earnestness and enthusiasm, and the vote was a very peaceful one. But in the lower counties of the State it was an enthusiastic and earnest election, bringing out, for instance, in Charleston, the division between Mackey and Bowen, leading republicans, and the whole republican vote turned out in fullest force; and there was a large white vote also. The News and Courier and the leading men in Charleston were great advocates of Judge Green. In those counties that were suffering the most under the government, they put up Green and Major De Laney, who was a colored man, as candidates, the News and Courier being the organ of the Green party.

In Beaufort County, in 1874, the vote for Chamberlain was 4,778, and the vote for Green was 2,076, making a total of 6,854, which included the whole republican vote and a considerable part of the white vote. The vote for Chamberlain in 1876, in Beaufort County, is 7,604, exceeding the whole vote, both republican and democratic, in 1874, by 750, and the vote for Hampton was 2,274. The vote in 1876 exceeded the vote in 1874 by 3,024. The vote for Hampton in 1876 exceeds the vote for Green in 1874 by only 198. They are almost identical. By the declarations of the leading republicans themselves, there was a strong democratic vote for Green in Beaufort in 1874. Now, Hampton in 1876 receives only 198 more than Green did in Beaufort in 1874. Well, by the ratio above shown, Hampton must have received several hundred colored votes in Beaufort; those, added to the white vote which the census of 1875 gives, make 1,760, aggregating for Hampton 2,274. Chamberlain in 1876 exceeds his vote in 1874 by 2,822. Now balance Hampton against Green, and it will show that that vote, as it was in 1874 in Beaufort, was a strong vote on all sides and from all classes—the white people voting for Green and a few colored people voting for Green. In 1876 the white people voting for Hampton and a number of colored people voting for Hampton—we estimate it from three to six hundred;

it was put down generally at 500, but it is not reported officially; you can get it officially if you desire—it throws the onus of the 3,000 cast over the vote of 1874 upon Chamberlain's party. It is true that the census gives Beaufort 8,241 colored, but their own leaders state that the vote of 1874 was a test vote. This was a low-country fight, and the upper country did not go into it, or they would have beaten Mr. Chamberlain very badly in 1874; but the low country did go into it. I only allege this as a political theory and base my argument upon it.

Now, I would ask the committee to note the fact that in Beaufort the poll-lists were withheld, and are not returned according to law. The vote is returned as a mass.

Aiken, which was at that time under the pressure of the arrests which were going on the day before the election—a large number of arrests were made within two or three days preceding the election—is also left out. Those who controlled the republican majority at every precinct withheld the returns or did not send them in as separate poll-lists, according to law.

I come next to Charleston. There the poll-lists are again withheld, and I can testify to my personal knowledge of the fact that I received communications by telegraph from the chairman of the executive committee there and from the newspapers which show that it was notorious that the returns from the islands did not come in for two days after the election was over. That excited great suspicion. They were withheld for a very long time. In that county the vote in 1876 exceeds the vote of 1874, in which year the contest there was extremely bitter, the white people dividing between Mackey and Bowen, and the whole colored race dividing also between them and largely going with Bowen; the vote in 1876 exceeds the vote in 1874 by about 3,000. Mr. Chamberlain gets over a thousand more than he obtained in 1874, and General Hampton receives nearly three thousand less than Mr. Green received in 1874. The great increase is upon Mr. Chamberlain's vote, and exceeds by 1,000 what he obtained that year, and by 3,000 what Judge Green obtained. We allege that that county shows evidence of great repeating and the stuffing of boxes.

By Mr. MERRIMON:

Q. Let me ask you whether the aggregate vote there at the late election is in excess of the census of the voting population?—A. It is not; it is within the census. But the census, as we charge, is in excess on the side of the colored votes. This census was made up in 1875; but by comparing the votes of 1876 in these lower counties with the vote of 1874 we arrive at our best estimate with regard to them, because if there was ever a strong contest in the State it was in these low counties in 1874. We regard that as more correct than the census of 1875. But the vote of 1874 does not discriminate between the races, nor does the vote of 1876, because in 1874 the large white vote, with a considerable colored vote, was for Green, and in 1876 the full white vote, with a considerable colored vote, is for Hampton. The white vote is certainly a little stronger for Hampton in 1876 than it was for Green in 1874. But we know by the figures and the tone of the election in 1874 that the white vote in Charleston County for Green was nearer the full amount of the white vote in that county than in any county in the State, and we know that the colored vote must have come out in the extreme in 1874, because there was a split directly in the republican party, Mackey on one side and Bowen on the other; the white people favoring Green and generally voting for him, with few exceptions.

Q. How would the census of 1875 of the voting population among the black people harmonize with the ratio of the colored population under twenty-one years of age, as you stated it a while ago?—A. I think upon that ground there appears no inconsistency in the census, except with regard to those between the ages of sixteen and twenty-one. The ratio of white voters to the whole white population allowed by the census is fully as great as the ratio of colored voters to the whole colored population. We claim that the aggregate of the census is equally erroneous with the colored vote, but that the greatest error in the census is in the diminution of the returns of the whites. That is corroborated by all the information which we have acquired during the campaign.

I come next to the county of Georgetown, which is another county in which the election-returns were withheld over ten days beyond the time allowed by law, but it was not the only county; Kershaw was another. I do not charge that as a positive fraud because there is difference of opinion. There are some lawyers in the State who did mischief by advising that that was not the law, contrary to the instructions given by the acting attorney-general, and approved by Mr. Elliott and myself, because the election-law as prepared by him was examined and approved of. In several counties in the State they withheld the election-returns I think over twelve days. Georgetown was one of them, and Kershaw was another. In Georgetown the vote for Mr. Chamberlain in 1876 exceeds the aggregate vote for Chamberlain and Green in 1874 by over 200. The vote for Mr. Chamberlain was 1,821; for Judge Green it was 753; aggregate 2,574. The vote for Mr. Chamberlain alone, in 1876, was 2,787, giving to him personally 213 votes more than the aggregate for himself and Judge Green in 1874. Georgetown was in Judge Green's circuit, and he was strongly sustained there by white and colored. In 1876, of course the white vote for Hampton was larger. Here the colored vote is returned, and the colored vote that Hampton received by the returns from Georgetown is 331. Take 331 from the vote of 1874, and add 213 which Mr. Chamberlain has now in excess of the whole vote of 1874, and the aggregate makes strong circumstantial evidence that the negro element in Hampton's vote (which brings it up to 1,058) is owing to the greater enthusiasm among the whites. The 1,058 votes for Hampton is very reasonably based upon the white vote of the county, and the 331 colored votes shown by the returns ought not to have been given to Chamberlain and to have been given to Hampton, and that brings Hampton up to 1,058, while Mr. Chamberlain not only gains the small number of colored who may have remained on the Green list after the 331 went to Hampton, but he gains 750 more, which we submit could not have existed in that county after the test to which they had been subjected in 1874 brought out only the aggregate of 2,574.

I again call attention to the fact of the great vote for Mr. Chamberlain in Beaufort, Charleston, and Georgetown; that two of these, in which the largest vote was obtained, were counties in which the poll-lists were withheld and the distinction between the races is not stated. In Georgetown the returns were withheld over twelve days, and they were not filed in the office of the secretary of state until, I think, the day before the State canvassers began their work. The additional counties in which those poll-lists are withheld are Aiken, which was then under the republican charges of riot and disorder; Kershaw, in which the returns were likewise withheld for twelve days; and Edgefield and Laurens, which have been rejected since in their returns; Williamsburgh, where reside Mr. Swailes and other republicans, and in which Mr. Chamberlain got a strong vote. We had anticipated success

there. I respectfully submit that the withholding of these returns from the above class of counties, three of which were republican strongholds, and against three of which they meant to bring their charges—because Edgefield and Laurens were then charged—is strong evidence to show that the poll-lists were withheld for the purpose of throwing the burden on the democracy without having the use of the figures. I submit that it throws the burden upon the other side.

Edgefield is the county against which they make their strongest attack. With regard to Edgefield I think I have testified already, and if I have not I do now, that it was reported to the democratic committees—I submit this as argument only and not as evidence—the estimate was made long before the campaign began, that the vote of the colored and white in Edgefield was over 9,000. It was made to me and many others before the election came. It excited no apprehension in my mind, because I regarded it as a correct return of course. I will submit respectfully that the excess of the vote of Edgefield over the census (2,000) is more than balanced by the excess of 3,000 in the county of Beaufort over that great vote of 1874; that it is balanced again by the 3,000 in Charleston; and that it is again strongly met by the excess of from 600 to 1,000 in the county of Georgetown over the late vote of 1874. Those were peculiarly and absolutely republican counties. Edgefield in 1874 did not join in the contest with any ardor or earnestness. The most of the people of that county were not enthusiastic, and there was but a comparatively small number of white men who cast their votes for Green.

The county of Laurens shows these figures in 1874: The vote for Green was 1,815; the vote for Chamberlain was 2,892. He beat Green by over 1,000. In 1876 the vote is just reversed; Hampton receives 2,916, and Chamberlain receives 1,804.

Q. What is there peculiar about that vote in Laurens except that change of majority?—A. I have never been able to perceive any shadow of foundation for bringing any charge against that county. It was perfectly quiet and peaceable so far as my information went; and, in fact, the only large accusation that I have heard made was made on one occasion, the day that General Hampton made his first appearance there, and he denounced it in his speech, and thereby gave it great publicity. I think there were no acts of violence in any way connected with political matters that arose in the county of Laurens. If there were, I am ignorant of them. Now, I would show that in the county of Laurens there is simply a transfer of 1,000 votes from the Chamberlain side to the Hampton side, and that the vote of 1876 exceeds the vote of 1874, I think, by only 13. The reason for that I can state. Perhaps it would be regarded as being on the republican side of the question. In 1876 the democrats in Laurens used great solicitation and effort to persuade the colored people to vote with them if they would, but if not, not to vote against them. That was the common consideration. A much larger number of white voters turned out and voted in 1876 than voted in 1874, but a smaller number of colored voted there, because they were persuaded to withhold their votes. They were not urged entirely to vote the democratic ticket, but they were persuaded to withhold; and a considerable number in Laurens County, I have no doubt, did not vote at all. All the white voters did not vote in 1874, and all the colored did; and all the white voters did vote in 1876, and a number of colored voters did not vote, because it was asked them everywhere not to vote against us if they could not vote for us.

Now, take the county of Orangeburgh, which gives Hampton over four hundred colored votes. It polls nearly five hundred more colored votes

than the census gives it; the colored vote polled in Orangeburgh County is 4,801. The census gives Orangeburgh 4,384. That is a strong republican county, and always has been, and has a very liberal census. The excess of the colored vote over that census is 417.

Submitting the census as a republican document, and submitting the election of 1874 as a test in which the lower republican counties were brought out in full force, and the democratic counties were not brought out to participate with any life or energy in the election, we submit that the increase of votes in the lower republican counties, particularly in the case of Beaufort of 3,000, and in Charleston of 3,000, in Georgetown of 1,000, and in Orangeburgh of from 500 to 1,000 over the legitimate number; that there were errors committed in the county of Edgefield or the county of Laurens; and I would respectfully submit that they are much more than counterbalanced by the votes in those counties below, corroborated by the fact that in all those disputed counties but one, the poll-lists were not sent up according to law and the election returns in several instances were withheld.

Our own estimates and figures show a colored vote cast of 105,000. Most of them are the official reports of the republican managers and commissioners, and where we have not those reports in full, the ratio I have spoken of I adopted as a rule by which to arrive at the estimate. Our estimate of the vote for Mr. Chamberlain agrees with the positive returns, with the difference of only two votes. The error charged in the county of Edgefield amounts to only 2,000 votes. No error that I have heard of is charged in the county of Laurens in the number of votes cast. Edgefield is the only county charged in that respect, and against that we would very cheerfully rest Beaufort or Charleston or Georgetown.

By Mr. CHRISTIANCY :

Q. In the commencement of your testimony you mentioned certain resolutions which you drew up at the time of a democratic mass meeting here in Columbia, and said that you would at some future time file them with the committee. Have you those resolutions now?—A. I have not, but I will produce them.

The following copy of the resolutions referred to was subsequently furnished by Colonel Haskell :

Extract from the Charleston News and Courier of March 15, 1876, containing resolutions offered by Col. A. C. Haskell, and adopted at a meeting of the county democracy held at Columbia, March 13, 1875.

Whereas our State has been degraded, our people oppressed and property plundered, legislation become the instrument of fraud, and the administration of justice a mockery; and

Whereas this degeneracy of government and its attendant woes had its origin in the abuse of the power conferred upon those who assumed the name of the republican party in this State in 1868, and has owed its steady increase in wrong and infamy to the constant and unvarying immorality and dishonesty of the men who from 1868 to the present time have been the leaders of the said republican party, and, in fact, the rulers of the State; and

Whereas the State and its people have been subjected to all the wrongs which have at successive periods in history excited the struggle for liberty, and now by the continuance of this party in power not only will liberty be yet further impaired, but the safety of life and property be snatched from us: Now be it

Resolved, That the honest white people of Richland County declare their determination to organize in a compact body, pledged to the cause of law and liberty, and to stand together shoulder to shoulder in opposition to the party in this State called republican, and to the dishonest men who are at its head.

2. That they pledge themselves to vote in the ensuing elections only for men of unquestionable honesty, and who have never been contaminated by connection with the

frauds of the dominant party, and who shall be nominated by the white voters of the county and State, and by such colored voters as may have the manliness and the intelligence to sever themselves from the bad men of both races who have so falsely and constantly misled them.

3. That they go into this contest for the restoration of honesty in the government, and to secure justice to all men; that they pronounce to be false any assertion that they contend against the colored race, but allege that they do contend and ever will contend against the traitors and bad men of both races who have hitherto been elected by the colored race, and do refuse even to unite with them or recognize them as other than they are in fact, men who have disgraced the State and brought its people to the verge of ruin, and are themselves worthy only of public scorn and the severest penalties of the law.

4. That they do not hesitate to admit that there are many honest, wise, and distinguished men who belong to the national republican party; but they do think, and do not hesitate to express the opinion, that no honest member of the said national republican party can consistently or with moral propriety identify himself with those who call themselves republicans and have been the leaders of the party so called in South Carolina; nor do they hesitate to express the further opinion that no citizen of South Carolina could at any time since 1868 have joined the so-called party in this State, except with purposes which had regard neither to public honesty nor to the welfare of the State, and without being unworthy to be deemed friends of the people or fellow-citizens except in the law.

5. That in such denunciation of the so-called republican party in South Carolina no individual reflection is cast upon those of the colored race at large, who, perhaps, naturally adopted the name of the party to which they supposed they owed their political rights; but the odium is meant to rest upon the bad men who have perverted both the party name and the party allegiance of the race to evil purposes, which have alike disgraced both race and party, and have brought irretrievable wrong and ruin upon the State.

HENRY E. HAYNE—RICHLAND COUNTY.

COLUMBIA, S. C., *January 5, 1877.*

HENRY E. HAYNE (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Columbia.

Q. What official position, if any, do you hold in this State?—A. Secretary of state.

Q. How long have you held that office?—A. Four years last November.

Q. Where did you reside prior to your election as secretary of state?—A. In Marion, sir.

Q. Are you a native of this State?—A. Yes, sir.

Q. And a republican?—A. Yes, sir.

Q. Did you take any part in the political campaign of last fall?—A. Yes, sir.

Q. Did you attend any of the political meetings held at the time?—A. Yes, sir; my first meeting was held at Edgefield Court-House.

Q. Well, you may go on and state what occurred at Edgefield, where the meeting was, and what occurred at that meeting.—A. I do not remember the day exactly. I think it was the 4th of October, if I mistake not, the first meeting that we attended there.

By Mr. CHRISTIANCY:

Q. October or September?—A. September, I guess; it was one of those months. We arrived at the court-house about eight o'clock in the morning, and we had not been there five minutes before we heard yells and hoots and all kinds of noises, and we saw from the house that we were stopping at (Senator Cain's) a lot of men dressed in red shirts—they

were not dressed in red shirts the first time—we saw a lot of men with pistols buckled around them. They rode around the house three or four times, and yelled and hollered terribly. We went over to the stand or place where the meeting was to take place, and at that place, when we got there, these men whom we saw (I think there must have been about twelve hundred there) they had a stand and steps leading to it. They had possession of three sides of the stand, and were on the steps, and were on the stand.

Q. State how much of the stand they occupied.—A. I think they had three-quarters of the stand and three-quarters of the ground in front and all around the stand; they occupied about three-quarters of it. When we got there the end next to the largest crowd was pulled down. As the governor and the other republican speakers ascended the platform from one side General Butler and General Gary ascended from the other side, and they took charge of the meeting—they opened the meeting.

Q. Who did?—A. General Butler made the first speech to the crowd. He said they were there for the purpose of being heard; that they had no objection to Governor Chamberlain speaking. He said he hoped that they would be quiet and listen to what was to be said on their side.

General Gary said that they had asked for a division of time and they were refused, and they were there to have it, and they were to be heard, and if anybody was hurt Governor Chamberlain and his crew would be responsible; the responsibility would be on their own hands.

Judge Mackey, who had not crossed the fence at that time, was there with the governor, and he got up and said that they would be willing to compromise, to allow time on each side; that so many speakers on each side should have thirty minutes each; and the governor was to make the first address. He spoke to the crowd for about fifteen minutes, I think, in all, and during that time he was abused most shamefully. I never saw a man abused more than he was on that occasion.

By Mr. CAMERON:

Q. State, generally, some of the remarks that were made to him.—A. They asked him first about McDevitt, who was the absconding treasurer there in that county. They asked him whether he and McDevitt had shared the money, and they called him, "A damned bald-headed son of a bitch," and said he ought not to be here any way; but General Butler says, "We must hear him, and I suppose we will let him speak this time;" and they asked him why he didn't go back to Massachusetts, and all those kind of things.

After he concluded his remarks, then General Butler spoke, and he was very severe in his style, very caustic in his remarks on the governor. He felt pretty sore, he said, because the governor had charged him with being the instigator, in his letters to the President and to the press, of the Hamburg riot, and he felt that he was innocent, and he was there to have the governor make good his charge, or brand him as an infernal liar. Judge Mackey followed General Butler, and said that he was a republican, and he was there in the interest of the governor and of the republican ticket, and gave the reasons why Mr. Hayes ought to be elected over Mr. Tilden, and gave Mr. Tilden a pretty sharp rap.

Then General Gary came behind him, and he was more severe than General Butler in his remarks about the governor. He said in his opening that he did not want to hear from any of the colored men that were present; he wanted to hear from Governor Chamberlain and his damned white republicans that were present. He abused him more severely

than General Butler did, and called him everything that was possible, and even mentioned something in regard to his wife; the remarks I don't remember now. And at last he was lost for infamous statements to make in reference to the governor, and finally he said, "Look at him, fellow-citizens; look at the damned bald-headed son of a bitch."

I staid there until Judge Mackey got up to see if he could not smooth the thing off somehow or another. He felt as though his life was in danger, I suppose, and he thought he would get up and make a reply to General Gary; and the crowd pressed around the stand, and got on the stand, and they hurrahed, "Take him down! take him down!" and had it not been for General Butler I guess they would have taken him down.

I neglected to state that when we first got to the stand, the portion next to the largest portion of the crowd was down. They had pulled it down, I am satisfied, because as soon as we agreed with General Butler to divide time with the democrats they very rapidly fixed it up again, in less time than I have been telling you about it.

That was my first visit to Edgefield, and on my second visit the governor did not go with us.

Q. You may state what occurred at your second visit to Edgefield.—

A. When we got to Ridge Spring, which was the first one of the stations in Edgefield County, we saw the men preparing to leave there, apparently; the horses were all in front of the stores, and the store-windows were closed, and a good many of the doors were closed, and men were out with red shirts, and some of them had red scarfs around their bodies; some had red on their horses' tails, and some had red stripes around their caps. When we got there five men came aboard the train—

By Mr. CHRISTIANCY:

Q. When you got where?—A. To Ridge Spring. Five men came aboard the train with their pistols in their hands—

Q. White men?—A. White men. There were ladies aboard the train, and they walked through the train, looking into everybody's face. There were one or two gentlemen there, and they appeared to be invalids, who were on their way to Aiken or Florida. I think they were on their way to Aiken; I saw one at Aiken afterward. They woke him up by pulling his cap down over his face, and said, right in the presence of the ladies, "The God damned son of a bitch isn't in here; he knew better than to come back to Edgefield this time."

Q. Who was referred to?—A. They referred to the governor, I suppose, because they come into the next car. I followed them into the second-class car, and they said, "No, Chamberlain is not in here either; that little wagon that went up the road with a white cover on it last night, I suppose he was in that wagon." When we got to the next station we had the same thing over; that station was Johnson's.

By Mr. CAMERON:

Q. White men came aboard looking for Chamberlain?—A. Yes, sir; and when we got to Pine Ridge there was a crowd there, and we went on up to the Court-House; that was the place where we took the stage for Edgefield Court-House. We saw no one on the road, but after we got in these men came into town. On that occasion they were all armed.

Q. Was this at Pine Ridge or at Edgefield Court-House that they were armed?

The WITNESS. That these men came with their red shirts?

Mr. CAMERON. Yes.

A. They were at the Court-House after we arrived at the Court-House.

They came in armed, on horseback, some with red shirts and some with red coats.

Q. Into the court-house?—A. No, sir; into the court-house town, the village where the meeting was to be held. And each company appeared to have their own dress; some had green trimming, and some black, and some blue trimming on their caps. The officers had brass on their collars and the non-commissioned officers had their sergeant and corporal's stripes; and each company had a banner, and on each banner was the number of the company. I recollect distinctly of seeing the first, second, third, eighth, and twelfth Butler Cavalry on different banners.

Q. About how many of these armed men were there at that time?—A. I am satisfied that there were no less than 1,600.

By Mr. CHRISTIANCY;

Q. In the village?—A. In the village.

By Mr. CAMERON:

Q. State how they were armed, as a general thing?—A. With pistols.

Q. And mounted and uniformed as you have described?—A. Yes, sir.

Q. Now, what occurred in the village at that time?—A. They came there into the village, and we went down to the place where we intended to have the meeting; and I suppose three or four parties had spoken, at least three; Mr. Brayton, the candidate for solicitor, was speaking at the time when we saw coming up the hill a wagon with a brass band in it, and the men who were playing the music had red shirts on. They came up the hill, and General Butler came and spoke to the marshal in charge—

Q. In charge of your meeting?—A. Yes, sir; and they rode around on the opposite side of the meeting, about as far as from here to that mantel-piece from the meeting—from the edge of the crowd where our meeting was. Some of the men appeared to be in liquor, and they pulled out their pistols and rode up toward the crowd. General Butler rode up to a man and took his pistol from him; he had to do that to several white men while they were passing by there.

Q. State whether or not Butler appeared to be in command of the men?—A. Yes, sir; General Butler and General Gary rode at the meeting; they rode at the head of the procession, and Mr. Sheppard—

By Mr. CHRISTIANCY:

Q. Did they come up on the ground around the stand?—A. They came up the hill and came around the stand.

By Mr. CAMERON:

Q. State whether or not they made any noisy demonstrations when they were riding around your stand or in the vicinity of it?—A. Yes, sir; we had to stop the meeting until they passed by; they yelled and hollered terribly.

Q. Well, did you attend any other public meeting during the campaign?—A. Yes, sir; I went to Aiken. I was at Aiken and I was at Barnwell.

Q. Now, if anything occurred at those meetings in any way hostile or demonstrative by the democrats, go on and state what it was?—A. Well, at the Aiken meeting there was a large crowd of red shirts in that day. A few came to the meeting, but they said nothing at all one way or the other; did not interfere one way or the other with the meeting.

Q. How was it at other meetings you attended?—A. The one at Blackville, in Barnwell County—they came there in large numbers, and they had a meeting at first by the depot.

By Mr. CHRISTIANCY:

Q. The democrats had?—A. Yes, sir; they had a meeting. They had a meeting at every place that we held on the same day. If we had a meeting, for instance, at Columbia here, they would have a meeting at the very same spot. They would call their meeting at the very same place that we would call ours, as a general thing, except this meeting that I spoke of at Blackville. They held their meeting at the depot there, and it commenced to rain, and they disbanded their meeting and came up to where we were holding our meeting, and as we proceeded to speak—well, I was speaking, and I was interrupted a good many times with questions, and several speakers, while they were speaking, were interrupted with such expressions as “You know you lie; that is a damned lie;” and while one of the speakers were speaking, Mr. George W. Clark, of Charleston, he was reading from Mr. Ingersol’s speech, why he could not be a democrat, and giving the reasons, and he said that was as good a reason as he could give why he could not be a democrat, and one man he got quite infuriated over that, and drew his pistol, and leveled it at Clark’s head, and he would have shot him, but for one of the deputy marshals who was near, and dragged him out of the crowd. Captain Kinzie, of the artillery company, who was stationed there, brought a detachment of his men there, and during the remainder of the meeting we had quiet.

By Mr. CAMERON:

Q. How many of those mounted white men were at that meeting?—A. I suppose there were about one hundred and fifty at that meeting.

Q. You may state whether, at every republican meeting you attended, there were armed bodies or mounted bodies of white men.—A. At all except in Beaufort County. At Beaufort, and at Kingstree, in Georgetown, at those places, (counties where the republicans were largely in the majority,) they did not put in an appearance. I was at the meeting at Marion the Saturday before the election, and that was the only meeting that I attended where I could not make a speech at all.

Q. You may state what occurred there.—A. At that meeting the posse was led by the sheriff. It was at a place—Berry’s Cross-Roads—

Q. What do you mean by a posse?—A. The crowd of red-shirt men were led by the sheriff of the county.

Q. Do you know whether the sheriff was a democrat or not?—A. Well, he was elected as a republican.

Q. With which party did he go last fall?—A. He acted with the democratic party. He organized the first democratic rifle club in the county.

Q. Now, you may go on and state what occurred at the Marion meeting.—A. It was advertised that the republicans would have a meeting at that place, and as soon as the advertisement was made for the republicans the democrats had a similar advertisement made for a meeting at the same place. The clerk of the court, who was a candidate for reelection, and myself, and the deputy-marshal went up to this place, and after we got there a delegation came and said that they were authorized to say that they would like to have a joint discussion, if it was possible. I told them that there were but two of us who came to speak, and there were some ten or twelve speakers on their side whom I saw present, in addition to these men who were there dressed in red shirts; that I did

not see how it was possible; that I was only there to speak by invitation from the precinct chairman, but if they could make any arrangement through the precinct chairman I was ready to acquiesce. And the precinct chairman held a conference, and they refused to have a joint discussion.

We went off by ourselves to a place about as far as from here, nearly, to that brick store, off about two hundred yards from where the democrats held their meeting. They all repaired to the same spot and said they came there to hear what we had to say. I told them that we were not ready then to speak, and the democratic spokesman says, "There is to be no speaking here; suppose we go on and organize our meeting."

By Mr. CHRISTIANCY :

Q. Who said that ?—A. Chancellor Johnson said that.

By Mr. CAMERON :

Q. A democrat ?—A. Yes, sir. I told the man that was chairman of the precinct that he had better call his meeting to order, and let us get through with what we had to say; that I thought I saw there was trouble brewing, and I had rather be away from there; and he called the meeting to order, and the clerk of the court was made chairman of the meeting, and he stated the object of the meeting, and I started to speak, and I had not said but two or three words before the sheriff interrupted me, and he said, "Whatever you say here we will believe you, because we believe you to be an honest man; and we would like to hear you, because we believe that you won't say anything but what is true;" and I told him that I had said nothing yet; that he might ask me any questions, and that I would answer them, but wait until I had got a little further on. I started off again, and he said, "You cannot speak now until you answer my question;" and I told him that I was not prepared then to answer the question, and I started to speak again, and he interrupted me, and he says, "God damn it, I told you you could not speak. I thought you were an honest man, but I have come to the conclusion that you are as big a rascal as the rest of the fellows that you represent;" and another fellow by the name of Williams says, "You cannot speak unless you answer the sheriff's question."

By Mr. CHRISTIANCY :

Q. What was the sheriff's question ?—A. He asked me if I did not think Governor Chamberlain was a damned scoundrel, and if I didn't think I was in bad company; and I asked him if he would wait a while and I would reply, and I said to him that I was not in bad company. I said, "You didn't think you was in bad company four years ago, when we elected you sheriff." He said, "I found it out, though, two years ago." I said, "Why, then, didn't you, as an honest man, resign your position and let us elect somebody else?" He said that self-interest drove him to take the position, and the same interest that existed then existed at the time that he found out that he was in bad company; the office was what he wanted.

I found that I could not speak; he interrupted me, with others. I found that every fellow that was there was ready to do just exactly what he said; and I told the parties that I came to address that it was impossible for me to speak to them; that I did not propose to be the cause of a single accident during the campaign if possible, where a riot or anything could occur, or anything that could be called an occasion for a riot; and I told him, says I, "I am surprised at you, the law-officer of the county, being the leader of a mob to break up a public meeting;

instead of keeping the peace, you are the first in breaking the peace." When I spoke to him that way, he said, "Well, he was in the interest of peace, and unless Hampton was elected they would never have peace." He wanted me to say that I thought that Hampton was a better man than Chamberlain, and asked me all kind of silly questions. He wanted to show his zeal in the cause, so he had on a red shirt and a red necktie and a pair of red gloves on that occasion.

The meeting that I attended the day before, they were there, and that was at Cain's precinct, in the same county—they were there armed, and with their red shirts on. That club had on its banner, "The Pedee Rifle-Club."

By Mr. CAMERON:

Q. A good many witnesses, democrats, have sworn before this committee that the spirit of the campaign, upon the part of the democrats, was peaceful. Now I want you to state, Mr. Hayne, so far as you observed the campaign, whether that peaceful spirit exhibited itself very much or not.—A. Well, I do not think there was much peacefulness on the part of the democrats toward the republicans. There was a great deal on the part of the republicans to the democrats, because, in most instances, except in Beaufort and Georgetown and Williamsburgh, and meetings that I attended where the republicans were largely in majority—in places where they could make a stand—I could see that we were the lambs on those occasions, and they were the lions.

Q. And the lambs were pretty quiet?—A. Yes, sir.

Q. And the lions roared?—A. We opened not our mouths. On the railroad-trains it was impossible for a man to travel without being insulted. Men would come into the cars from the platforms at the different stations and brandish their pistols, and they would insult every one that was on the car that was a republican; and especially on the Charlotte, Columbia and Augusta Railroad they would come in and fling the door wide open, and they would address the conductor in this manner: "Well, is there any damned radicals on board the train to-night?" and he would say on those occasions, "I don't know; there are some gentlemen here who have been over to Edgefield." And the fellow would say, "God damn it, you don't call those fellows gentlemen; they are not fit to associate with niggers"—referring to the white men that were present; and on one occasion I thought that we were really going to have trouble; it was at this Ridge Spring, where the train stopped to take water. They came on board the train and walked up to Mr. Brayton and asked him, "Well, Brayton, I suppose you made a speech to-day at Edgefield Court-House." There were four ladies on board the train—

By Mr. CHRISTIANCY:

Q. Four ladies in the car?—A. Yes, sir; in that car. "You made a damned bitter speech against us to-day." He replied, "How could you tell whether it was bitter or not; you did not hear my speech?" He said, "No, God damn you; how could I hear your speech when you have the United States Government between you and I? Now, I tell you right up and down, we don't propose to stand anything of this kind; we propose to make Edgefield County democratic, if it takes all hell to carry it. You may just go home and tell Chamberlain to pick up his traps and you take yours, and, by God, don't you come back here any more; if you do, God damn you, we will kill you."

By Mr. CAMERON:

Q. Who said that?—A. One of those roughs; I didn't know his name.

By Mr. CHRISTIANCY :

Q. A white man ?—A. Yes, sir ; but there was a man by the name of Carwyle who seemed to know Mr. Brayton, and he says to him, " Mr. Brayton, I saved you this time, but you must not come this way any more." One of the ladies that was aboard the train, who was a Presbyterian minister's wife, she seemed to enjoy it very much ; she laughed and tittered over the affair as if those men were embracing the man instead of swearing at him.

By Mr. MERRIMON :

Q. Who was she ?—A. I do not know.

By Mr. CAMERON :

Q. Profanity did not seem to horrify her ?—A. She didn't seem to be horrified until we got to one of the stations—that one that joins Edgefield—where they had a swivel-gun there ; and it was on the platform, and they fired the gun, and that put out the lights in the car, and then she sang out to her husband, " I think it is time for them to stop this ; there are ladies on board the train. I think they have gone far enough in this thing now."

The News and Courier reporter, Dr. McKneeley, was there, and I said to him that I thought that was chivalry for gentlemen to come on board the train and commence cursing in the presence of ladies. I asked him why didn't he go and call their attention to the fact of these ladies being present, and he said he had nothing to do with it. I asked him then if he would make a statement in regard to the affair, and I think he did ; and I noted in his statement that he said he was requested to make the statement.

Q. Anything else that came within your observation on the day of the election, or prior to it, you may state.—A. On the day of the election there was a great deal of hostility in this city where I was, at ward No. 2, but there was something that was going on that no one seemed to know about on that day. All the clerks were out endeavoring to get as many voters as possible for the democratic ticket ; and a great many colored men voted the democratic ticket in order to retain their situations. A great many voted that way in order to have a home to live in.

By Mr. MERRIMON :

Q. Do you know that of your own knowledge ?—A. I know that of my own knowledge. I know one colored man who refused—I know three or four colored men who refused—to vote the democratic ticket, and were discharged from the employment that they had been in for nine years—one of them nine and the other twenty-nine years. An old man who was employed on the South Carolina Railroad was discharged because he would not vote the democratic ticket ; and he had been in their employ twenty-nine years, and another man nine years.

Q. What was his name ?—A. I don't remember the old man's name ; the young man's name was Poinsette Brown. There were numbers of men in town here who have been discharged on account of voting the republican ticket.

By Mr. CAMERON :

Q. State what knowledge you have, Mr. Hayne, that the democrats, before the election, threatened to discharge colored men in their employ if they voted the radical ticket, or threatened or refused to rent them lands thereafter if they voted that ticket.—A. Resolutions were pub-

lished in the daily papers of this State and city, and in the county papers.

Mr. MERRIMON. Do not speak of resolutions unless you produce them.

The WITNESS. I can produce them if you desire; I have got the papers at home.

By Mr. CAMERON :

Q. You may state the fact if such resolutions as those were published in the papers, and bring those resolutions to us.—A. I can say that in the Charleston paper they made it a point to proscribe the butchers; that they should not buy meat from a republican butcher; and they said, "Where do you buy your meat?" and not to buy your meat from a republican. They had it under the head of "Preference, not Proscription," urging the democrats not to employ any one who voted the republican ticket; that any man that voted the republican ticket who was in their employ was an enemy to them, and that they should not keep them in their employ any longer.

By Mr. MERRIMON :

Q. How long have you been in office here, Mr. Hayne?—A. I have been in office since reconstruction.

Q. What office have you held?—A. Senator from the county that I live in, and secretary of state.

Q. Have you been secretary of state all the time?—A. I told you I was senator.

Q. How long?—A. Four years.

Q. Where from?—A. Marion County.

Q. When were you elected secretary of state?—A. Four years ago last November or October, I forget which.

Q. And you are secretary of state now?—A. Until my title to that is disputed.

Q. You claim that you are elected now?—A. Yes, sir.

Q. Do you hold the office of secretary of state now?—A. Yes, sir.

Q. Have you held any other office during that time?—A. None, except appointments.

Q. What sort of appointments?—A. Clerical appointments.

Q. What?—A. I have held an appointment as a director of public institutions.

Q. Of banks?—A. No, sir. I am chairman of the board of directors of the South Carolina penitentiary at this time, and also member of the normal-school board.

Q. What offices have you held of a like character at any time during your public life?—A. None that I know of, sir; none but those I have mentioned.

Q. You have not been a bank officer at any time?—A. No, sir; the republicans don't aspire as high as that in this State.

Q. You have told us that you went to many places and addressed the people, or attempted to do it; did you have large crowds where you went?—A. At nearly every place. The smallest crowd that I addressed was at this precinct in Marion County that I spoke of.

Q. Well, the republicans consisted, I suppose, mainly, if not altogether, of negroes?—A. Yes, sir.

Q. You had some one to accompany you, generally, on your speaking tours?—A. Yes, sir; more than one of us spoke together.

Q. I believe you do not say that violence was done you anywhere?—A. I should not want any more violence done to me than what was done.

Q. They did not shoot you?—A. They did not shoot me. At Edgefield Court-House I am free to say that I think we would never have got away from there alive, the first time, but for General Butler. I have said that to his face and behind his back; I am willing to say that.

Q. They did not strike you?—A. No, sir; if they had, I might not have been here now, because I would have resented, and that would have been the end of me.

Q. At both of those places you submitted to all the indignities that you have described to us without opening your mouth?—A. No, sir; some of the colored people were spunky about it when General Butler told them in his speech how he proposed to carry the county of Edgefield. General Butler told the colored people that they proposed, first, to ask them to vote the democratic ticket, and if they refused to vote the ticket that their employers voted, they proposed to go on the day of the election—he said, “We propose to go on the day of the election and run right over you.”

Q. Who said that?—A. General Butler.

Q. M. C. Butler?—A. Yes, sir.

Q. What kept them from a row, if the colored people displayed so much spirit?—A. You asked me if any of the colored people did not say anything, and some of them made answer to that in these words, “Butler, you cannot frighten us.” He says, “I know you expect the Yankees to come here to protect you.” And they made answer to him very plucky, I thought: “We don’t want any Yankees here. If the governor will let us have the guns in the jail, we will be Yankees enough.”

Q. Notwithstanding the negroes manifested so much spirit in the presence of these dangerous whites that you have described to us there at Edgefield, there was no row?—A. No; there was no row. Discretion was the better part of valor in that case.

Q. But I thought you said that the negroes took their own side, and expressed their opinions?—A. Yes, sir; these men at every place we went gave notice that they did not want anything to do with the rank and file; it was their leaders. Ferguson, in his speech, urged them that if anything was done, (when it was decided to have the Mississippi plan,) urged them not to do anything with the ignorant negroes, but to take charge of their leaders. They had no more respect for Chamberlain as governor, at Edgefield, when he spoke there, than they had for the President of the United States as President.

By Mr. CAMERON :

Q. And that is no respect at all?—A. No, sir; because General Gary, since this committee has been in session, made a speech in this town, and said he had seen the drunken soldier on many a battle-field.

By Mr. MERRIMON :

Q. Did neither the governor nor yourself resent that insult?—A. No, sir; I don’t suppose you would have done it if you had been there in the same position that we were.

Q. Did not Governor Chamberlain speak?—A. He spoke about fifteen minutes.

Q. It has been sworn to that he spoke his half hour out.—A. I know the democrats would swear to anything in this country. There are plenty of democrats in this country who will swear to a lie for political ends.

Q. Do you think the republicans all swear to the truth?—A. No; I think there are bad republicans as well as democrats.

Q. Do you think the democrats, generally, swear to lies?—A. I think this, Senator: there is an organized plan throughout the State of South Carolina not to have any violence committed on anybody; but the plan of intimidation was so thorough that there was no need to have any violence.

Q. That is your opinion of intimidation, but we want to know the facts to see whether it was indeed intimidation.—A. Intimidation and violence are not synonymous words; one has a different meaning from the other.

Q. Well, take it either way. I don't care to take them as synonyms terms. You might say that the display of these red shirts, when a man didn't have a gun or a pistol about him, would be intimidation, and another man might say that that would not be intimidation; it is mere display.—A. I say this: if these men paraded with their red shirts and pistols in twice the number, or in numbers sufficient to overawe the crowd that were there—suppose a thousand men came there in that manner, and we had only five hundred, I should say that was intimidation of the worst sort.

Q. If they did you no violence you would say that was intimidation?—A. Yes, sir; I would say that was intimidation.

Q. Why did you refuse—I mean your party—to meet the democrats in joint discussions during the campaign; why did not Governor Chamberlain accept Governor Hampton's proposition to hold joint debates and address the people in an orderly, proper way?—A. We refused on this account: no proposition of that kind was made until a very late date in the campaign. If he had made his proposition to Governor Chamberlain earlier in the campaign, and not after these riots had been going on, Governor Chamberlain, no doubt, would have accepted his proposition; but after this Edgefield meeting was held, and Governor Chamberlain was treated in this way, it was a matter of notoriety; it was published throughout the State in the papers, generally, and Hampton did not say that he thought it was an outrage or anything of the kind; he sanctioned their actions by his silence.

Q. Didn't he make a proposition, or his executive committee, in the very outset, to have a joint canvass throughout the State?—A. Not to my knowledge.

Q. Do you not know, sir, that they were exceedingly anxious to address the negroes of the State?—A. Yes, I know that; and they took occasion, whenever we had a meeting, to do so, because wherever we met they always did.

Q. Was it not your purpose not to allow them to address the negroes when you could help it?—A. No; we have had joint discussion in this State before this campaign.

Q. I ask you now whether it was not the policy of your party, during the late campaign in this State, to keep the negroes from hearing the white men—I mean the democrats—discuss the political questions as much as possible?—A. No, sir; no, sir.

Q. Did you or not refuse to agree to a joint canvass?—A. Yes, sir; we refused for the reasons that I have just stated—that we knew that no agreement made would be kept.

Q. What evidence did you base that upon?—A. We knew that from the facts that had occurred before the proposition was made; the meetings we had attended, where the leading men of the democratic party

were, and they allowed these insults and jeers to be heaped upon the republicans, and never said one word.

Q. Can you point to a single instance where Governor Hampton insulted you, or any of your speakers, when you were there to address the people?—A. We did not go to hear Governor Hampton speak, because his appointments were made nearly a month before ours. We did not commence our canvass until after Governor Chamberlain was nominated.

Q. Did not Governor Hampton or his friends, the executive committee, make a proposition to Governor Chamberlain, or his executive committee, to canvass the State jointly?—A. Yes, sir; one of the reasons why we failed to agree was because they wanted to assign all the places of meeting, and did not want to agree to any proposition that we made; in short, they wanted to make the terms and we refused to agree. We wanted to have a say as to where some of the meetings should be held, and they wanted the entire thing; that when Governor Hampton failed to meet Mr. Chamberlain, that they would substitute somebody else, and we were not willing that they should do that; we were willing for Mr. Chamberlain to meet General Hampton, and any of the officers, candidates on his ticket, to meet the candidates on our ticket; we were willing to do that.

Q. You spoke of rifle-clubs; do you denominate their democratic club a rifle-club?—A. Those I saw with their banners. I know what cavalry means; I have been in the service.

Q. Do you use rifle-club and democratic club as synonymous terms?—A. Yes, sir; their democratic club was a rifle-club.

Q. Did you ever see them parade?—A. At these meetings.

Q. Did you ever see them march?—A. They marched at these meetings.

Q. Did they have guns?—A. Pistols, invariably.

Q. Did they have anything more than their usual side-arms?

The WITNESS. Those are usual side-arms.

Mr. MERRIMON. Yes.

A. In some States they do not carry usual side-arms.

Q. But we are talking about South Carolina.—A. Since this campaign every man has carried a pistol on the democratic side.

Q. I ask you if it is not common for both republicans and democrats, white and colored, to carry side-arms in this State?—A. Since this campaign.

Q. Was it not before this?—A. Not to my knowledge.

Q. Did you not carry arms at all?—A. No, sir.

Q. Did not do it in the campaign?—A. Yes, sir; I did.

Q. When you spoke you spoke with a pistol in your pocket?—A. Yes, sir; I did, and one hand on it.

Q. And yet you complain of others for carrying their pistols?—A. Yes, sir; they caused me to carry mine. I have been in public life since '68, but I have carried no pistol until this campaign; I never felt the necessity; and the only reason I carried it was because I saw that the democrats at these meetings had their pistols. When I went to Edgetfield the first time I had no pistol; I didn't think there was any occasion, but I always make up my mind when a man is seeking my life to sell mine as dearly to him as I can.

Q. At the time these disorders took place, in this campaign, the republicans in this State had the executive, judicial, and legislative branches of the government under their control?—A. Yes, sir.

Q. And the militia in the bargain?—A. We have no militia in this

State; we have a few companies, but there is no organized militia that I know of.

Q. You have what you call a militia?—A. Yes, sir.

Q. The majority of the militia were republicans, were they?—A. Yes, sir.

Q. They were all under the direction and the control of the governor?—A. Yes, sir.

Q. He might have marched through the State with those men at his back to protect him?—A. No, sir.

Q. He could not have done that?—A. No, sir; because the militia in this State are made up of black men entirely, and on the other side were the white men.

Q. Why do you not have any white militia?—A. That I don't know. You might as well ask me why the State of South Carolina did not furnish to President Lincoln ten regiments during the war—in '61.

Q. Which side of that issue were you on, then?—A. I was on President Lincoln's side then.

Q. Were you?—A. Yes, sir.

Q. A republican at that time?—A. Yes, sir; born one.

Q. You did not go with the South at all?—A. I went with the South far enough to get out of it.

Q. Were you in the army?—A. Yes, sir.

Q. How long were you in the army?

The WITNESS. Which army?

Mr. MERRIMON. The confederate army.

A. Yes, sir; I went out after the first battle of Manassas, and left the following July.

Q. The following July where did you go to?—A. I went through the lines.

Q. On the other side?—A. Yes, sir.

Q. Were you in the military service at the time you went there?—A. When I went there.

Q. Had you been in the military service at all, I mean, of the confederacy?—A. I was in the army, in the infantry.

Q. A private or officer?—A. A private.

Q. In a South Carolina regiment?—A. Yes, sir.

Q. Were you drafted in the army?—A. No, sir.

Q. Did you volunteer?—A. I went in to get out of the confederacy.

Q. Could you not have gotten out of the confederacy without going out in that way?—A. Not at that time. I don't suppose any one could get out of North Carolina at that time.

Mr. MERRIMON. Hundreds of them did get out.

The WITNESS. They got out by the skin of their teeth; they didn't have tar on their heels to hold them, that is certain.

Q. You went into the army to get through the lines?—A. Yes, sir; I don't deny that.

Mr. MERRIMON. I would like to examine you upon another point that the committee has ruled I cannot examine you upon. I don't care to examine you longer.

By Mr. CAMERON:

Q. You spoke of a speech delivered by a General Ferguson, of Mississippi?—A. Yes, sir.

Q. Will you please state when that speech was delivered, as near as you can fix the time?—A. He made that speech the night—

Q. And state, as near as you can, what the substance of the speech

was.—A. The night that General Hampton made his address here—I think it was the night of the day that he was nominated by the convention. It was some time in August, I think; any way, I am satisfied it was the night of the day that General Hampton was nominated.

Q. Ferguson made a speech?—A. Yes, sir; he said he came to tell the people of South Carolina how they should carry the State of South Carolina.

By Mr. CHRISTIANCY:

Q. Was General Hampton present at that time?—A. Yes, sir.

By Mr. CAMERON:

Q. Well, go on.—A. He said that in Mississippi they thought it was an impossibility to carry the State, but they had resolved in their minds that the thing was worth trying, and they commenced in a county called Butler, if I mistake not, and he told them how many—I think they had about three hundred votes at the election before, and that the republicans had over four thousand. I am not sure as to the numbers—I won't be positive as to that—but there was a great difference between numbers in the two parties; that they resolved to go to this meeting, and they went in large numbers to this meeting, and when they got there, the white leaders of the republican party, they crouched before them and refused to speak; and they gave them notice that they should not speak there that day unless these men were allowed to reply; and I think he said that one spoke, and when he commenced to lie about the good people of Mississippi he was told that he would have to stop right there.

Q. By the democrats?—A. Yes, sir; and the fellow got down, and none would follow; and they got up and spoke to the blacks, and told them what was being done by the carpet-baggers and scalawags toward dividing them from the whites; and he said, "We found that that was a perfect success; it was 25 miles away from any railroad or telegraph station." I thought that it must have been a success from that fact alone, that it was 25 miles from any railroad or telegraph station; and he said they went through the different counties, and they took what was called the black belt, and they went through every one of those counties, and they met the republicans, and he said they did not fire a single gun; that they went prepared for whatever came, and their presence in that position had a wonderful effect, and he advised them to do the same thing here in South Carolina; and we had a meeting the following Saturday in this county, and they tried the Mississippi plan, if that was the Mississippi plan, as he stated, through the entire campaign.

Q. General Hampton was present at this meeting addressed by Ferguson?—A. Yes, sir; he was there.

Q. Did General Hampton get up and protest that they must not use any such measure in South Carolina?—A. No, sir. I heard every speech made that evening.

By Mr. MERRIMON:

Q. Where was this discussion?—A. It was in the state-house yard.

By Mr. CAMERON:

Q. It was not a discussion—a joint discussion, I mean?—A. No, sir.

Q. It was a democratic meeting?—A. A democratic ratification meeting. We staid on the edge of the crowd. They gave us to understand that this country belonged to them; that they had it by right and title

from their forefathers, and they proposed to hold on; and that was the style of their speeches, made by their leading men.

Q. Did General Hampton make a speech on that occasion?—A. Yes, sir; he stated, as he stated during the campaign, that he intended to be the governor of the whole people. His remarks were very conciliatory. He was the only one present that made anything like a conciliatory speech.

Q. Mr. Merrimon has examined you apparently for the purpose of ascertaining why the republicans did not get into a collision with the democrats at Edgefield and at the other meetings which you have mentioned, where the republicans were insulted as you have described. Now will you give the committee, so far as you know, the reasons that induced the republicans to refrain from getting into a collision?—A. Well, the party, as you know, Senator, is composed largely of colored men, and there is not a people on the face of the globe that is more submissive and willing to do the right thing than they are. Their whole course of conduct during the war, when they were left alone with their masters' wives and children, shows that they were a people that were peaceful, and unless urged by their leaders to do anything like an act of violence, they never would commit an act of violence; and I am free to say that there is no instance that a white man can point to where they can say where they were urged to do any act of violence by their leaders. They are a people that are very forgiving; too much so in some respects; and the Senator, [Mr. Merrimon,] being a southern man, knows the nature of the negro as well as I do; there is not a particle of resentment in his disposition unless urged on by some one else, but when his ire is up he is able to do as much as anybody else.

Q. You have also been examined upon the point as to why the republicans did not consent to a joint discussion when it was proposed by General Hampton or the democratic executive committee? Will you explain why the republicans did not agree to the proposition? You have to some extent, and if you wish to make any further explanation you may do so now.—A. To sum up the matter in a very few words: We did not propose to consent to be present to hear ourselves abused without a chance of answering. Now, I take the Edgefield meeting as an example; General Butler got up there at that meeting and urged these men to hear Governor Chamberlain patiently through; that they would follow each republican speaker. He says, "Now I want you"—these were almost his exact words—"I want your men to be quiet and hear the speakers through. They have agreed that we shall have a hearing, and we are able to take care of them, and we want you to hear them through." Even after he, who appeared to be the leader of them, had urged them to be quiet they could not restrain their feelings—they had to give way to their feelings, and he had repeatedly to get up and say to them, "Now I want you all to be quiet," while General Gary would tell them to go on—

Q. Butler on one side would tell them to be quiet, and General Gary on the other side would tell them to go ahead?—A. Yes, sir. The Senator asked me if I saw any act of violence. I know this as a fact, because I saw it on that occasion: A white man had a Winchester rifle pointed at Governor Chamberlain's back three times. An elderly gentleman present knocked up the gun and told him that they would not allow it.

By Mr. CHRISTIANCY:

Q. Right in connection with that I want to ask you one question, whether there was in fact, in your estimation, any danger of collision

in these joint discussions ?—A. Yes, sir; we knew this, that they would say exactly what they desired to say, and if we attempted any reply, to give the democrats what we believed they deserved, that would be the signal for a collision. At Edgefield, at that first meeting, it seemed to me that if a republican had pushed against a democrat it would have been a signal for an affray. I felt all the time as though I was standing over a volcano looking every minute to see an eruption that would send us all into eternity.

By Mr. CAMERON :

Q. You have the name of a very distinguished deceased citizen of this State; are you a relative of his or a descendant ?—A. My father is a nephew of Robert Y. Hayne.

By Mr. MERRIMON :

Q. What do you mean by that ?—A. I mean just the same as you would mean if you told a man you were a nephew of your father's brother.

Q. You are a son of the nephew of the late Mr. Hayne, who had the celebrated debate with Mr. Webster ?—A. Yes, sir.

Q. Who was your mother ?—A. I am not going to answer that question.

Q. I just wanted to see whether you were correct.—A. I shall not answer that. I am not ashamed of my mother's name, but that is not any of the committee's business just at this time.

Q. I don't know about that.—A. I don't see what any question that I am called here to answer has to do with my family affairs.

Q. You claimed your relationship with Mr. Hayne in your answer ?—A. I answered the question of the chairman.

Q. Do you mean that Mr. Hayne was your father in lawful wedlock ?—A. My father was the husband of my mother in lawful wedlock.

Q. You spoke awhile ago of the tractability of the negro, his kindly disposition; I ask you if he is easily led ?—A. Yes, sir; he is easily led.

Q. Is he easily misled ?—A. Yes, sir; he is easily misled in some respects.

Q. Do you not know that the democrats of this State were exceedingly anxious to avoid collisions ?—A. No, I don't know that.

Q. Do you not think that they thought any collision here between the blacks and whites would redound to their injury politically ?—A. I do not think they cared a snap about it.

Q. You do not think that ?—A. I don't think that.

Q. Do you not know that their fear was that if any disturbance took place that forthwith Governor Chamberlain would import into the State the Army of the United States ?—A. They said repeatedly that they didn't care anything about the Government of the United States or the Army of the United States.

Q. They said they didn't care anything about it ?—A. No, not as a matter of fear, because General Butler in his speech at Edgefield said that they were soldiers; they were gentlemen, and they were glad to meet with soldiers and gentlemen; that they had no fear of the Government of the United States, and the only fear that they had was that the paymaster would not come and leave the money with them.

Q. Do you not know at the same time that an officer without any soldiers could go anywhere in the land ?—A. I think not in the South.

Q. I ask you whether you know that the democrats in this State were particularly anxious to avoid collisions for fear that it would re-

dound to their detriment?—A. As I told you before, I have no knowledge of the fact.

Q. Have you heard an expression of that sort from the democrats?—A. I have heard expressions of that kind, but I have seen actions just the reverse.

Q. You have heard them say that, and then you have seen actions just the reverse of it?—A. Yes, sir.

Q. I ask you whether you know the fact that the presence of Federal troops here has had any influence upon the white people at all toward intimidation?—A. No. I think it has had this effect: it has allowed us to make the canvass and allowed us to exist as a people. We would not have been alive to-day, the leaders of the republican party, had not the Government of the United States sent their troops here. I am satisfied of that, because every leading man of the democrats, in their speeches, urged that when anything was to be done they would take the leaders first. The speeches ran like this: "Go for the carpet-baggers, the white scalawags, and the mulattoes, and the negroes last;" but they charged them not to interfere with the rank and file, but to take care of their leaders.

Q. Were the leaders of the republican party more anxious about themselves than they were about the rank and file?—A. I should think they would be, under those circumstances.

Q. Then they went for themselves, and not for the rank and file?

The WITNESS. They went for themselves in what way?

Mr. MERRIMON. You took care of yourselves?

A. Well, it was impossible for us to address our constituency without the presence of those troops, after the campaign commenced.

Q. Were the troops distributed all over the State?—A. In nearly every county, except the counties of Williamsburgh, York, and—I don't remember, but I know there was some counties that did not have any.

Q. How many counties were there that did not have any?—A. I don't suppose there was more than six in all. I think there must have been twenty-five counties that had troops.

Q. How many polling places were there in the State where there were no Federal troops?—A. There were a good many. They were confined particularly to the court-house towns.

Q. I ask you particularly if you do not know that there were places where there were no Federal troops at all where the republicans got their usual vote?—A. No, sir.

Q. You do not know that?—A. I know that they did not.

Q. Do you know that at other places they did get it?—A. Where those troops were?

Q. Well, at places where the troops were not present, do you know that they got their usual vote?—A. In those counties that were largely republican, like Beaufort and Charleston.

Q. I ask you this general question: if you do not know that the republicans got their full vote in the State of South Carolina?—A. I don't think they did.

Q. Did they not get the largest vote they ever did get?—A. I don't think they did.

Q. Are you familiar with the returns?—A. I am.

Q. These tables must be false, then. The statistics show that you got the largest vote that you ever got.—A. Probably for governor.

Q. For governor and for the general ticket.—A. The governor ran behind more or less in 1874.

Q. That is going into the question of majority. I ask you now the general question, whether the republican ticket in South Carolina did

not receive a larger vote than it ever received before at any other election?—A. I do not think so.

Q. Then you do not think the way the tables go, for they show it.—A. I know it shows a larger vote on the side of the democrats.

Mr. MERRIMON. So it does on your side, too; on both sides.

The WITNESS. But the preponderance is in favor of the democrats.

Q. There is no doubt that the democratic vote was largely increased, but the statistics show that the republican ticket received the largest vote it ever received; you ought to know that fact.—A. I have been reading the returns a good many times, but I have not that fact in my mind just now.

Q. Were you a member of the returning-board?—A. Yes, sir.

Q. Then allow me to ask you this question: whether the returning-board cast out the vote of Laurens and Edgefield Counties?

Mr. CHRISTIANCY. You need not answer that question.

Mr. MERRIMON. I put that question.

Mr. CAMERON. We have determined not to go into that.

Mr. MERRIMON. My object is to show what the aggregate vote was. I want to show that that vote was not taken into calculation.

By Mr. CAMERON:

Q. That whole matter has been gone into by the House committee. Senator Merrimon has asked if you do not know that it was the policy and purpose of the democratic party to have a peaceful canvass in this State. I ask you if you saw anything or any acts of the democratic party which would induce you to believe that their whole purpose and policy was to have a peaceful canvass?—A. Nothing that I saw during the whole campaign led me to believe that they had any such purpose; and that while General Hampton made those kind of speeches, the men that followed him made just the other kind of speeches; "preference, not proscription" policy, as they termed it; that they should employ no one who voted the republican ticket; and the day that I was returning from the place where I went to speak in Marion, where the sheriff was, I met numbers of colored men on the road, and I urged them to come out and vote the following Tuesday, and they said they were afraid to go to the polls, because they would have to vote the democratic ticket, and if they staid at home they would be allowed to remain on their places. That was the agreement, that if they went to the polls they should vote the democratic ticket, but if they wanted to, they should stay at home and not vote. They had no place to go to, and they were compelled either to stay at home or to vote the democratic ticket, and they preferred to stay at home rather than vote against their party. I told them that every man that staid at home was virtually giving the democrats a vote, and they said—one man particularly said—that he was always true to the party, and was desirous of doing what he could, but he had a houseful of children, and he could not leave them on the road-side.

LEROY F. YOUMANS—RICHLAND COUNTY.

COLUMBIA S. C., *January 8, 1877.*

LEROY F. YOUMANS recalled.

By Mr. MERRIMON:

Question. Do you know the general reputation of Judge Cooke of this State?—Answer. Yes, sir.

Q. How long have you known him?—A. Well, sir, I knew him off and on for some years before he became judge. Since then I have known him pretty constantly.

Q. What is his reputation for truth and honesty?—A. Good, sir.

Q. Would you believe him on oath?—A. Yes, sir.

By Mr. CAMERON :

Q. Was he a trial-justice before he was elected judge?—A. I declare I don't know, sir. Before he was judge my only acquaintance with him was as a member of the bar. I saw him at Orangeburgh and at Newberry, where he practiced.

Q. Where does he reside?—A. At present in Greenville, I think, sir.

Q. How long has he resided in Greenville?—A. Only since he has been judge, I think.

Q. How long is that?—A. I cannot be exact as to the date; I think he was elected to succeed Judge Orr; I think it was about four years ago.

Q. Then you think he has resided in Greenville for about four years?—A. I just know that generally.

Q. Where did he reside prior to that?—A. Well, my impression is, but it is a mere impression, that he resided in Orangeburgh.

Q. Where did you reside during the time that you have mentioned?—A. In Columbia; I have resided in Columbia since September, 1872. Prior to that time I resided in Edgefield for five years, and prior to that in Beaufort.

Q. You never have resided in the same town with Judge Cooke?—A. No, sir.

J. G. BLUE—MARION COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

J. G. BLUE sworn and examined.

By Mr. MERRIMON :

Question. I will tell you to state your age, your place of residence, your business, and what political party you affiliate with.—Answer. I am forty-seven years of age; I live at Marion Court-House, in this State, and I am a democrat in politics, and a lawyer by profession.

Q. Did you take any part in the late canvass in your county?—A. I was a candidate on the democratic ticket for a seat in the lower house of the legislature.

Q. Did you canvass the county generally?—A. I did, sir.

Q. State whether, in your observation during the campaign, you noticed any manifestations of a disposition to intimidate the colored people so as to induce them to support the democratic ticket.—A. There were none came under my observation. We made an effort, particularly, to convince the colored people that it was their interest to vote the Hampton ticket. I think that our party in every way sought a joint discussion with the parties on the other side. Whenever there was a meeting and any of us were present we asked a joint discussion. We never had but one in the county, and that took place before the campaign regularly opened.

Q. Do you know whether many of the negroes voted the democratic ticket?—A. There were about four hundred. We have a majority, ac-

ording to the last census, of about one hundred and ninety white voters in the county, and our majority was about six hundred and fifty in the county last fall.

Q. I will ask you this question touching yourself: Did you seek to induce colored men to vote the democratic ticket by threats or violence of any sort?—A. I did not.

Q. Is it within your knowledge that anybody else did?—A. No, sir. My purpose, object, and effort was, all the time, to prevent anything of that sort; that was the object of the campaign from the time the party determined to run a straight-out ticket. General Hampton was nominated for governor, and the cue was taken from General Hampton. The object of that campaign was a peaceable one, and the effort was to convince the colored people by argument and reason that it was their interest to go with us.

Q. Do you know whether any of the negroes split their votes as between Hampton and Hayes, some voting for Hayes and some for Hampton?—A. Yes, sir; a good many of them.

By Mr. CAMERON:

Q. Do you know that of your own knowledge, Mr. Blue?—A. Well, sir—I cannot say, Senator, that I saw them put the ticket in, but I heard a person say that they would vote that ticket.

Q. You had better state the facts, then, just as they are, and not your opinion.—A. Well, that is what I wish to do. I know they were advised—I did it myself—that it would not be inconsistent with their politics or their interests to vote for Hayes for President and Hampton for governor. The grand effort in my portion of the State was for Hampton.

By Mr. MERRIMON:

Q. Do you know a colored man in your county by the name of Simon Crawford?—A. I do, sir.

Q. Do you know his general reputation?—A. I think I do, sir.

Q. What is it for truth and honesty?—A. Well, his character is bad.

Q. State whether you know he has been indicted for stealing.

Mr. CAMERON. You need not answer that question.

Mr. MERRIMON. The chair rules that it is not competent.

Mr. CAMERON. After the production of the record it is competent.

Q. (By Mr. MERRIMON.) Would you believe him on oath?—A. Not where he is interested I would not.

Q. Do you know any attempt on his part to produce a riotous demonstration in your town? and, if you say yes, tell the committee all you know about it.—A. Yes, sir. I saw him approach the town on one occasion with a band of armed colored men, which produced a great deal of excitement in the town. He was approaching the town in a direction which brought him directly by my house, and it alarmed my family. The reports came in, and I went home, and met him on the road, with this band of armed colored men, between the court-house and my residence. I had no conversation with them. I saw them loading their guns.

Q. Was he a colored man?—A. Yes; a colored man. They were loading their guns, and the colored men delivered ammunition, which came from the direction of the village.

Q. When was that?—A. That was somewhere about the middle of September—the 18th, 19th, or 20th; along there somewhere.

Q. What were they after; what was his purpose on that occasion?

Mr. CAMERON. If you know of your own knowledge you can state it, but we do not want mere surmise.

A. I do not know from my own knowledge.

Q. (By Mr. MERRIMON.) You can tell anything the mob said, or what he said.—A. On that occasion I had no conversation with him.

Q. Did you hear any of the negroes say anything?—A. Yes, sir; I heard them—I cannot recollect whether I heard any part of that crowd say anything or not; I passed by in a hurry.

Mr. CHRISTIANCY. You need not state it unless it was that crowd.

Q. (By Mr. MERRIMON.) State whether on any occasion you saw the sheriff and his posse, and their condition.—A. I saw a young man that had been with the sheriff.

By Mr. CAMERON:

Q. Do you know that he had been with the sheriff?—A. Well, I heard him say so and I heard the sheriff say so.

Mr. CAMERON. That will not do.

By Mr. MERRIMON:

Q. Did you see any person with the sheriff who had been shot with powder and ball?—A. I saw a young man that had a pistol-ball through his shoulder.

Q. When?—A. It was the 21st or 22d of September; along there some time. I don't recollect the date exactly.

Q. Where did you see him?—A. At Marion Court-House.

Q. With the sheriff?—A. I think I saw him going off with the sheriff. I saw him go back in that condition.

By Mr. CAMERON:

Q. Who was he?—A. His name was John Berry.

By Mr. MERRIMON:

Q. In the course of your campaign through your county, just before the late election, state whether there was any division of time between the two political parties, and, if you say yes, give us some account of it.—A. There was a division of time once; that was at the court-house, when General Elliott, who represented the republican party, and a man by the name of Lee and General Harlee and myself represented the democrats. It was a republican meeting, and the committee representing the democrats asked a division of time, and they consented to that, and we had a joint discussion, which went off very pleasantly.

Q. Where was that?—A. At Marion Court-House; it took place in the court-house. After that the republicans refused to have any joint discussions. I requested it several times during the campaign, and they refused it; and we always went off and had our speaking to ourselves after that.

Q. Were the democrats particularly anxious to address the negroes?—A. Yes, sir; they were.

Q. Why were they more anxious to address the negroes than the whites?—A. Because the whites were all on our side; the whites were all democrats, with a very few exceptions, and the colored people were republicans generally, and we never had had an opportunity of discussing politics before them or with them, and we were anxious to address them, in order to convince them that we were right, and that it was for their interest to go with us.

Q. State what W. A. Hayne told you about the colored people being armed?—A. About this very difficulty, Hayne and Mr. Jackson and myself—

Q. What difficulty?—A. This Simon Crawford difficulty; we had a consultation.

By Mr. CHRISTIANCY :

Q. Who had a consultation?—A. Hayne, myself, and Mr. Jackson, and one or two other colored men, I think, were speaking about arms. There was a persistent effort for several days to arrest Simon Crawford, and they could not get him, and an officer was for several days trying to arrest him, and it created a good deal of disturbance and excitement in the country, and Hayne and a man by the name of Thompson, a leading colored republican there, talked with Mr. Jackson and myself; we held a conversation with them to see if this matter could not be arranged, and in speaking about it Hayne remarked that the colored people were better armed than the whites, and he was anxious to have this matter settled; he did not want to have any difficulty; that they had ascertained that Crawford had left, and he could not be arrested anyhow, and we sent a courier to tell the officer to come in.

By Mr. MERRIMON :

Q. Do you know Sheriff Berry of that county?—A. I do, sir.

Q. Do you know his general character?—A. I do, sir.

Q. What is it?—A. He has been sheriff in that county since I have been acquainted with it.

Q. Simon Crawford says he is charged with stealing; have you heard anything about that?—A. Never heard of it before, sir. He was, I think, convicted of assault and battery, but he has never been accused of stealing to my knowledge. I know the best of people were anxious to re-elect him sheriff.

Q. Do you know a man named Isaac Butler?—A. I do, sir.

Q. Who is he?—A. A colored man; and the first colored man that came out for Hampton in this last campaign in that county.

Q. Did he tell you that he had been persecuted and beaten because he had joined the democrats?

Mr. CHRISTIANCY. I object to that.

CROSS EXAMINATION.

By Mr. CAMERON :

Q. Is or is not Berry a man that is addicted to intoxication?—A. Sometimes, sir. I have seen him drunk frequently.

Q. Have you seen him drunk since he has been sheriff of the county?—A. Yes, sir; he is a man that takes an occasional spree.

Q. Whom did you ever hear speak of Simon Crawford's reputation for truth?—A. I don't know that I could mention the parties. It was in a general conversation about the man there at the court-house. I have heard a good many, sir; I don't know who.

Q. I am speaking about the particulars now.—A. I don't know that I could give any particular man.

Q. I do not ask you that. You have sworn that you knew what his general reputation was for truth, on the direct examination, and now, on cross-examination, I am trying to ascertain whom you have heard

speak of his reputation for truth. Give the name of any person whom you have heard speak of it, and the time and place when he spoke of it?—A. I would not undertake to do that; there has been so much general talk about it, and about this thing and that thing, and Simon Crawford in particular, that I could not undertake to say any particular man or any particular time or place, but I know what his character, in the community where I live, is.

Q. You have sworn to that once, and it don't make it any stronger to swear to it twice. When did you first hear any one speak of Crawford's reputation for truth?—A. Well, a year ago; a good while ago; maybe two years ago; and anterior to any of these difficulties. These cases came up in the court-house about him, and came up under my observation; but these things are so common in our courts that it creates very little talk, and I expect that the great talk has been about Simon Crawford since those difficulties took place.

Q. Since these difficulties took place last September?—A. I expect that is the general time. At the time these cases occurred in court, two or three years ago, they were of such general occurrence in the country that democrats paid very little attention to them, and a man in my profession don't talk of outside matters. A man might be talked about, generally, in the canvass in every way and shape, and then, after this difficulty occurred, I did hear a general expression of opinion as to his character.

Q. But you are unable to give any particular name?—A. I would not undertake to give any particular name.

Q. How long have you known Crawford?—A. I have known him some three or four years.

Q. Has he been known during that time as a republican in your county?—A. I don't think he had any reputation as a politician at all; at least I have never heard him spoken of as a leading politician at all. I don't think he was ever regarded as of any importance in politics whatever.

Q. How far is his place of residence from yours?—A. Seven or eight miles, I think, sir.

WILLIAM G. HINNENT—FAIRFIELD COUNTY.

COLUMBIA, S. C., *January 8, 1877.*

WILLIAM G. HINNENT sworn and examined.

By Mr. MERRIMON:

Question. What is your age?—Answer. Thirty-four.

Q. Where do you reside?—A. About three-quarters of a mile from Ridgeway.

Q. Were you at Ridgeway during the late campaign?—A. I was, sir.

Q. State whether you saw any intimidation of voters there on either side.—A. Yes, sir. The first case that I saw there occurred about twelve o'clock, when a large number of colored men came up in military order, with sticks and one thing and another—staves and ax-helves, and such things as that. A few moments after they arrived my attention was called to a difficulty; and I stepped down to where they were voting, and Mr. Wilson, the United States marshal, passed me, and I followed him along and went to Mr. Davis, who had requested me to see the United States marshal. The United States marshal said he could take

no action in it unless we could get out a writ. He showed us his instructions, and we had no justice of the peace there at all. Mr. W. R. Marshall, who was the justice of the peace at that place, was in Winnsborough. I presume he was sent for, for he came down on the train, and then we requested him to use his influence in getting this boy, Cain Jones, who was the prominent person that appeared to be persecuting Jerry Middleton—

Q. Was he a democratic negro?—A. Yes, sir; Jerry Middleton was a democratic negro and this Cain Jones was a radical negro. He was threatening to beat him to death if he did not go with him and vote the republican ticket.

By Mr. CAMERON :

Q. You heard the threats, did you?—A. Yes, sir, I heard them; and we got him into Mr. Ruffin Cloud's store, and there shut up this boy Jerry Middleton to keep from having a difficulty.

By Mr. MERRIMON :

Q. Did you observe any other violence about the ballot box that day, sir?—A. I saw three distinct cases of colored men being brought to the polls by their wives and relatives, women; they were followed there. There was one boy there that attempted to vote the democratic ticket, and his wife told me she would cut his throat from ear to ear if he did it. I told him that I sympathized with him, and had nothing more to say.

Q. Why didn't the democrats see that he was protected?—A. I will just state this: We were, as it was, in a powder magazine, and we were doing our utmost to keep down a difficulty, and our object was to gain as much by conciliatory measures as we could; we could use no force at all, sir.

Q. Do you know anything else about the election upon the subject of intimidation?—A. Nothing, except the general threat of this immense crowd that came up there. There was almost a company that came up horseback, and then another company after that.

Q. Negroes?—A. Yes, sir, negroes; and they overawed those that intended to vote the democratic ticket.

Q. Do you know whether they had any arms in their hands that day?—A. Yes, sir. I will say this much: my attention was called to them, and I went with a gentlemen down to Lieutenant Gales to consult him as to the best method of keeping those arms from being used, and he proposed to take possession of them, but we advised him, and really overruled him, to just put a guard in front of the house.

Q. Where were the arms?—A. In an old shop—an old cabinet-shop.

Q. Do you know anything about what caused the death of Mrs. Marshall, of your town or neighborhood?—A. Well, sir, I have known Mrs. Marshall, and I knew her for two years prior to her death; I knew her to be a very nervous lady; and in conversation with her, she told me what she suffered by being left alone at night. She said that Captain Marshall was off most of the time. I cannot say anything more of her disease, except what her physician told me. I am very intimate with him, and in his office nearly every day, and he told me it was a clear case of pneumonia that she died of. He described her case, as having a very large cavity in one of her lungs.

Q. Do you know Marshall well?—A. Yes, sir; I have known him longer than I have known his wife.

Q. Did you proscribe him on account of his politics in any way?—A. No, sir; I never did.

Q. Do you know whether others there did?—A. Not to my knowledge, and I think I have every reason to know.

Q. How is his pecuniary credit?—A. If I must say, he simply has none. He has not had for a long time.

Q. He is a bankrupt?—A. He is a bankrupt, yes, sir; I know that, for some of my relatives—

Q. Do you know he owes those whom he cannot pay?—A. Yes, sir; I do. Some of my own friends there have suffered by him.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. Were you a member of a rifle-club in your town?—A. I was.

Q. When was the club organized?—A. I was chairman of the first meeting. I cannot say positively when that occurred, but it was a few days after the riot in Charleston. Shall I state why it was organized, and so forth?

Q. No; I don't ask you that. I ask you when it was organized, and you have stated that it was organized a few days after the Charleston riot?—A. It was brought about on account of the Charleston riot.

Q. Who was captain of the company?—A. R. S. Desportes.

Q. What office did you hold?—A. I was lieutenant.

Q. Of how many men did it consist?—A. I really have forgotten the number.

Q. State about the number.—A. We had fifty or sixty.

Q. How many arms did they send for and receive?—A. I think about forty, sir.

Q. What style of arms were they?—A. They were breech-loading Enfield rifles.

Q. What has become of those rifles?—A. I won't be positive, but I believe they were sold to the members of the company, and taken by them to their homes.

Q. So far as you know, they are still in that neighborhood; the men retained them?—A. Yes, sir; but without ammunition, I know, because we had but a few rounds to start on.

Q. Were you a member of the democratic club in your town?—A. I was.

Q. When was that organized; before or after the organization of the rifle-club?—A. O, before, sir.

Q. Were not most of the members of the rifle-club members of the democratic club also?—A. They were, sir.

Q. How many rifle-clubs were organized in your county?—A. I cannot say positively, sir.

Q. How many have you knowledge or information of?—A. I cannot say positively that they were called by that name. They were democratic clubs, most of them, sir.

Q. I was not speaking of the democratic clubs.—A. Ours was a permanent town organization, similar to those in large cities.

Q. Have you any information in regard to the organization of the other rifle-clubs in your county?—A. I have nothing further, sir.

By Mr. MERRIMON:

Q. Did your rifle-club ever have any political significance at all?—A. None whatever.

Q. How did you happen to form it?—A. The day following, or two days following, after the news of the riot in Charleston, I was in Ridge-

way, and several merchants called my attention to the fact that the colored men in the country were buying up all the powder and ball, cartridges of every description, buck-shot, and everything of that sort. Most of the merchants were at the North, at the Centennial, and one place and another, and we had no organization that we could depend upon; most of them were scattered in the country, and being near Ridgeway, I told them that we had better call a meeting for an immediate emergency; that we did not know what might occur there. That was the origin of our rifle-club, and that was really all it was for; just for an emergency of that sort.

Q. It had no political significance at all?—A. None at all, sir.

By Mr. CAMERON:

Q. But these members were all democrats, were they not, so far as you know?—A. I cannot positively swear, but I believe we had one or two republicans.

Q. Please name them.—A. I was going to say that they were at that time, but have since voted the democratic ticket; that is what I had reference to, but I would not be positive.

Q. Can you name any persons who were republicans?

The WITNESS. That were in that rifle-club?

Mr. CHRISTIANCY. Yes; and who voted the republican ticket last fall.

A. Yes, sir; I can; Captain Smart.

Q. Are you entirely certain that Captain Smart voted the republican ticket at the last election?

The WITNESS. At the last election, do you mean?

Mr. CHRISTIANCY. Yes, sir.

A. O, no. I thought you had reference to the election before that; but he was understood to be a republican.

Q. Did he or not vote the democratic ticket at the election held on the 7th of November last?—A. I did not see him vote, but I heard him say that he intended to vote for Hampton; but I think he voted for Hayes and Wheeler. He stated that, I think, sir, in the street.

WILLIAM NELSON—AIKEN COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

WILLIAM NELSON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Hamburgh, South Carolina.

Q. How long have you lived there?—A. I have lived there since 1865, sir.

Q. How old are you?—A. I am thirty-four years old the 12th of January.

Q. Were you a member of Dock Adams's company?—A. No, sir.

Q. What office, if any, did you hold in Hamburgh in July last?—A. Constable.

Q. Well, you may state whether you had Rivers's office ready for trial on the 8th of July last?—A. I had, sir.

Q. You may go on and state what happened in Rivers's office on the 8th of July; state who was there, and what was said.—A. On the 8th

of July I was ordered by Mr. Rivers to have his office open by four o'clock, and I done so. He told me to open his office and remain there until he came. Just about three o'clock Robert Butler and M. C. Butler drove up in a buggy. General Butler drove up, and in an imperative manner says, "Where is Rivers?" I says, "Mr. Rivers is at his house, I reckon, but he will be here directly;" and he says, "Go and tell him to come here to me." I says, "I am not Mr. Rivers's office boy; I am a constable, and I am here 'tending to my business. He told me that he would be here at four o'clock, and he won't come any quicker by my going after him." He says, "Do you know who you are talking to?" I says, "I am talking to General Butler, I believe." He says, "Well, God damn you, bring me some paper here." Says I, "Here is the office, and here is the chairs, and here is the paper and pen and ink, sir, and there is the chairs for all the attorneys that wants to do business here to come in and sit down." He says, "God damn you, bring it to me, sir." I says, "I won't do it;" I says, "Come in, sir, and sit at the table;" and he jumped out of his buggy at that time, and Henry Getzen came in with his gun in a resenting manner on me, and Butler walked in and says, "Give me a chair." I says, "There's a chair." He says, "God damn you, give me the chair you are sitting on." I says, "All right; if this chair suits you better than the other, take it." He says, "You God damned leather-headed son of a bitch, you, sitting down there fanning yourself, God damn you." I says, "I am fanning myself sitting in my own office and 'tending to my own business." He says, "You God damned son of a bitch, you want to have a hole put through you before you can move;" and in that time another man by the name of Kinlon Chaffee came in with a large pistol in his hand, just in that manner, [indicating,] and Henry Getzen with his gun drawn down on me, and Tom Butler was out in the street with his gun—out there sitting on his horse; and old man Butler he runned in with his pistol——

Q. Robert J. Butler?—A. R. J. Butler, he came in with a great big pistol. I have had a great deal of dealing with Robert Butler, and I says, "Mr. Butler, you know what sort of a man I am; I have always tried to behave when you came in my office," and he says, "Yes, but, God damn you, this God damned drilling has got to stop; I want you to go for Rivers." I says, "I have no right to go for Rivers, and I am not going." He says, "Well, God damn you, you will be a dead man, and you will wish you had gone." And when he said that to me I says, "I am but one man." It was very warm and I was in my shirt-sleeves, sitting in the office. Says he, "God damn you, sitting down there with your feet cocked up."

By Mr. CAMERON :

Q. Who said that?—A. That was General Butler. I says, "Well, General, I am not dead, but if you are going to kill me, why just kill me, and that is all you can do." General Butler says, "Well, God damn you, we will take our time about that; we will show you, you God-damned son of a bitch." And so I remained in the office until Rivers came. After Rivers came we called the court, and he told me to go and call Dock Adams and the rest of the officers, and I called them but, they didn't come. In the course of an hour I looked out in the street, and I suppose there were seventy-five or one hundred armed white men with pistols and guns, double-barreled guns, sixteen-shooters, and revolvers, and so on.

Q. Can you give the names of any of those men?—A. Yes, sir.

Q. Give the names of all whom you remember.—A. I can give the name

of Henry Getzen, R. J. Butler, General Butler, Bill Briggs—William Briggs is his name—Col. A. P. Butler, and Ben. Tillman; and those are about all I can give the names of. I knows a great deal more, but I was excited, sir; I was very much excited, but I cannot remember—there was Hanson Butler, Rev. Meling, and young Henry Bunch.

Q. Go on and tell what else happened.—A. After I looked out and saw these men—great quantities of men—I went back into the office and told Mr. Rivers that I was going to leave there; that I believed there was going to be some difficulty, and he says, “I reckon not.” I told him, “Well, I think there is going to be a difficulty, and we better get away from this office, because they will surround the office and perhaps kill every one of us right in there, and we won’t be able to get away to get out of here.” I goes out of the office and made my way to the drill room and went in there. We thought we would go into the drill room for protection. I went into the drill-room, and I suppose about an hour after I got in there the firing commenced from the river-bank where an abutment is made for the Columbia and Augusta Railroad. I was on the top of the house myself, and Archer Griffin and Spencer Harris.

Q. On the top of the house?—A. Yes, sir; we went into the drill-room, and there is a little trap-door, and we went out on top of the house, and the first fire that was made the flash came from the river-bank. They was firing on top of the house. There was a little gutter there, I suppose about two feet wide, and the ball just came right through the gutter right by me. I suppose there were about fifteen or twenty shots, sir, before any return was made. I remained on top of the building until about half past seven o’clock, and Dock Adams said that he heard that they had gone over the river after a piece of artillery, and about dark we made our escape from off the building down into the block, and I jumped out of the lot that the drill-room sat on into Mr. Davis’s lot, and as myself and another man by the name of Moses Parks, as we jumped out of the lot there was another little cross-fence that cut the yard off from the lot, and I jumped over it and ran into the house-lot, and he run to make his escape from Davis’s gate to go up on the street, and as we jumped over Mr. Davis says, “Who is that?” and old man R. P. Butler says, “There goes a God-damned nigger;” and Davis says, “Don’t shoot; don’t shoot;” and they went bam! bam! I got home, and the young man that jumped over with me he got killed in Davis’s yard, right at the gate.

Q. You saw Robert Butler there?—A. To the best of my knowledge; he says, “Here he goes;” and I known him very well, and I know his voice. I have had a great deal of dealing with R. J. Butler, and, as he jumped over, Davis Lepfield says, “Who is that?” and Butler says, “There goes one of the God-damned sons of bitches,” and fired—bam, bam—that was two fires; and he says, “God dam him, I got him.”

By Mr. CHRISTIANCY:

Q. What colored man was it that got shot there?—A. Moses Parks. And I ran back after I found that they had shot Moses Parks, and I crawled back out of the house-lot into the yard on my all-fours, and the privy was there; it was built out of bricks; and, I suppose, the wall from the side where it stood was about two feet back, and I crawled on to there, and there I remained until Sunday morning. They were continually firing and driving around the house; and they got a man by the name of John Parker right in the yard during the night and carried him over to the dead ring, they called it, and they shot him. They

shot him in the back, but they didn't kill him. He got shot through the back.

By Mr. CAMERON :

Q. Did you see the dead bodies the next day?—A. Yes, sir; and helped put them in the coffin, sir.

Q. Who did you see dead?—A. I saw Allen Attaway, Moses Parks, Dave Phillip, and Hamp Stevens, and Albert Minyard, and Jim Cook, the marshal of the town.

Q. Now what white men did you recognize in the crowd of armed men that you saw there?—A. Not any, sir. After the firing commenced on the drill-room, and I made my escape, as I told you, I never seen any white men that night that I recognized at all, because I were in a place I could not see them very well.

Q. You recognized Robert Butler by his voice?—A. I recognized him by his voice. Mr. Davis Lepfield has got a little shed leading from his house down to the yard and remained on that shed all night.

Q. Was the night a light or dark one?—A. Well, sir, the moon rose, I suppose, about eight o'clock, twixt eight and nine o'clock. The moon was shining as bright as day. I thought it was mighty bright, and I would have liked if it was dark.

CROSS-EXAMINATION.

By Mr. MERRIMON :

Q. What did you run to the drill-room for?—A. I ran to the drill-room for protection, sir.

Q. How did you expect protection there; why, was not that the very point of danger?—A. Why, because most of the men were there, and I went there for protection, thinking that if we went into the drill-room that those men would not fire on us or try to injure us in any way, sir.

Q. Why were not they more likely to shoot you there than they would have been if they had found you in your house?—A. I don't know; I thought I was in danger.

Q. Was that the place where the arms were, and the armed men were?—A. They didn't keep but few arms there.

Q. Did they have any guns there at all?—A. Yes, sir; I think it was a regular drill-room, and most of the young men that didn't have any family they kept their guns there.

Q. Instead of going to a place of safety you really went to the very place of danger?—A. A good many times men think they is going to a place of safety and goes right into danger.

Q. What did you get up on top of the house for?—A. I went up on top of the house to keep from being shot; if they should shoot that I would not be in the way of being hurt.

Q. Did you have any guns up there?—A. No, sir; I never had a gun in my hand.

Q. Anybody else?—A. Not as I know of. There was not but three or four of us on there, and neither one of us belonged to the company at all.

Q. You had no gun or pistol?—A. I had my pistol, sir. I was an officer, and toted my pistol every day.

Q. You had it up there with you that night?—A. Yes, sir.

Q. Did any of the others have pistols?—A. I don't know whether they did or not.

Q. You didn't have any gun?—A. No, sir.

Q. How many times were there guns discharged from that drill-room?—A. I could not tell you, sir.

Q. Many times?—A. I don't know exactly how many times; I was not there in the drill-room.

Q. I don't ask you to be at all exact, but give us some idea—fifty times?—A. I don't think so. There was not but thirty men in the drill-room.

Q. Did they fire thirty times?—A. I don't know whether they fired thirty times or not.

Q. You and General Butler had a quarrel at the trial-justice's office; he cursed and you cursed?—A. No, sir; I didn't curse.

Q. Didn't he claim that you were insolent to him, and that you did not demean yourself as an officer ought to do?—A. I treated him as polite as I could, but he comes right in and commences cursing me.

Q. Did not he complain that you did not treat him properly?—A. He said he wanted me to give him a chair, and I told him if my chair that I was sitting in suited him better than the others he could have that, and I got up and handed it to him.

Q. Do you know anything about the digging up of graves in that town?—A. No, sir.

Q. You do not know anything about that?—A. No, sir.

Q. Do you know anything about robbing wagons down there?—A. I have heard talk about wagons being robbed, and have caught some persons myself; as an officer of the town I have caught them at the act, and they were tried before the law and was convicted.

Q. Often?—A. Well, once or twice I have caught one or two rogues around there.

By Mr. CAMERON:

Q. Do you know Dock Adams?—A. Yes, sir.

Q. Do you know what his reputation is in Hamburg?—A. Well, Dock Adams moved to Hamburg about twelve months ago. I have never heard anything disrespectful of Dock Adams. His reputation is, as far as I know, tolerably good over the river; he lives right in Augusta.

By Mr. CHRISTIANCY:

Q. Does he live there?—A. Yes, sir; he lives there; he is residing in Augusta.

By Mr. CAMERON:

Q. What was his reputation in Hamburg?—A. Good, sir; he was elected as captain of the company, and must have had a tolerably good reputation to take a strange man out of a town and elect him as captain of a company; I should think that his reputation must have been pretty good by that.

Q. How long have you been constable in the town?—A. I have served as marshal for three years and constable for two years.

Q. You are pretty well acquainted in Hamburg?—A. Yes, sir; I moved there in January, 1865.

By Mr. MERRIMON:

Q. Who elected Dock Adams?—A. I suppose the members of the company elected him.

Q. Do you not know that it was said in Augusta, and said over the river, too, that Dock Adams was a great rascal?—A. No, sir.

Q. You never heard that from any one?—A. I never heard any such thing until after this riot.

Q. Did he not have the reputation of being a common street-loafer over in Augusta—loafing about the court-house?—A. No, sir; he was a number one mechanic.

Q. Did he work?—A. He worked during the time he was in Hamburg until the hard times came on when no mechanic can get any work, but as long as any business was going on Dock Adams went to his work every day. He is a fine mechanic and got pretty good wages.

Q. What have they against you?—A. Nothing, as I know of.

Q. Never heard anything?—A. No, sir.

Q. The people all like you?—A. Like me pretty well. I was elected there in the municipal election for several years.

Q. Did the white folks like you?—A. I never thought I had an enemy among the white men in Hamburg until the 8th of July. Me and Mr. Butler and Mr. Getzen have always got along as friends, and I looked up for them that evening to speak in my behalf—the evening of the fuss. Mr. Butler appeared to like me, and they said I was the best colored officer that they ever had in Hamburg.

Q. Did they vote for you?—A. They did not live in Hamburg—in the corporate limits.

Q. Did the white people in Hamburg vote for you?—A. Yes, sir. A white man in Hamburg now is on my bond.

Q. Who is he?—A. Mr. Nunberger. He is on my bond for three years as constable, and he is on my bond now as town marshal.

Q. You are the town marshal now?—A. Yes, sir.

Q. Are all the officers of the town colored men?—A. Yes, sir.

Q. No white officers at all there, or white members of the council?—A. Yes, sir; there are white members.

Q. How many?—A. One.

Q. How many members of the council are there?—A. There are four wardens and an intendant.

Q. Is the intendant a white man or black man?—A. A black man.

By Mr. CAMERON:

Q. I will ask you whether the colored people or the white people are in a majority in Hamburg?—A. The colored people are in a majority.

Q. About what is the population of Hamburg?—A. I suppose two hundred and fifty.

Q. And how many white people are there in the town?—A. About forty-five; that is all, taking in the whole corporation. Right there in town there is not over twenty.

ANDREW J. GRIFFIN—AIKEN COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

ANDREW J. GRIFFIN (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live in Hamburg.

Q. How long have you lived there?—A. Well, sir, I was born and raised there.

Q. What is your age?—A. I will be thirty-two years the 8th of this coming May.

Q. Where were you on the 23d of July last?—A. I was in Hamburg, sir.

Q. State whether or not you saw any armed white men coming into town that day.—A. I did, sir.

Q. About what time of day did they commence coming in?—A. Well, sir, about 12 o'clock. I live in Hamburg, inside of the corporation, but I live on Scholt's Hill, facing the two public roads, the Edgefield and the Aiken road, and about 12 o'clock in the day, Saturday, as a general thing, I see more people coming into town than any other time; but that day I never paid no attention to it, but at one o'clock my wife called my attention to it, and asked me, did I know what was the matter; that she seen a great many men coming into town. I said I didn't think there was anything the matter, and she said to me to come and look out of the window, and I did; and I saw such a large body of men was coming on into town I concluded to come down to Hamburg to see what was the matter, if there was anything the matter. So I went on down to the town, and I went into Mr. Spencer's warehouse there, and there didn't seem to be any general excitement then; and about two o'clock, I suppose between two and three, I seen such a body of men gathering in that I then began to get excited, and General Butler at that time he went up to the council-chamber, and Spencer and he were consulting; and Mr. Spencer left him then, and I passed him, and asked where he was going, and he said he was going down to Judge Rivers's office, and told me to come on and go down there with him. So we went down by the drill-room, passed that to go to Rivers's office, and Rivers was not there. There was a body of about seventeen or eighteen armed men there before the office-door.

Q. White men?—A. Yes, sir.

Q. Can you give the names of those white men who were armed and before Rivers's office at that time?—A. Yes, sir; I can give the names of a few of them: Henry Getzen, Tommy Butler, and some of the Glovers—one or two of the Glovers; one of the Glovers in particular, sure; I don't know whether they was both there or not. I became somewhat excited then, and I did not notice particular; but those three men I am sure was there.

Q. What took place then?—A. We didn't stop to see. In coming back from Rivers's office we passed through a corner of the street where the old Hamburg-bank building is, and his office is below, and when we went down that way we didn't see nothing on the street; but as we were coming on back—me and Mr. Spencer—we looked down that street, and there were about one hundred and fifty, I suppose, armed bodies of men drawed up on that street on their horses.

Q. White men?—A. Yes, sir; and just before we crossed the street, we came across Mr. A. B. Butler, and he hollered to Mr. Spencer; he hollered, "Sam, we are going to make it God-damned hot here in Hamburg here to-day."

Then I got excited and went up in the drill-room, and these men were up there in the drill-room, and they appeared to be pretty scared; and this man Attaway asked me if I thought there was any danger, and I said that I believed that those men intended to do some damage here from what I heard Mr. Butler say. He says, "Griffin, I wish you would go out and see, and try and see what you can do, and see if there is any way for us to get out of here;" and I told him I would do so, and I went out.

My intention was to get back home. When I got out I started up the street, and I got most to this council chamber, and it seemed to me that

the men were strung out all along, like pickets, all about there on the roads; and I started to go back in the drill-room, for I thought that was the safest place for us, and I heard that they done struck men in the face in the streets, and I thought my safest plan was to go back there; and when I got back to this corner called Davis Lepfield's corner, where he keeps a store there, there was a gun fired, what I supposed to be from the river-bank; and I stops right there, and was looking on down that way toward the river-bank, and I heard some one holler to a party of white men across the street, "Don't let them niggers pass through there; keep them back;" and I looked over there and this man was standing right behind a brick piazza, like it was with brick pillars, and I saw this man raise his hand and point his pistol directly at me, and I ran back then, and I heard then a general firing, and I got into Spencer's yard, and I dodged around in there along until daylight. I was in his yard all through the night.

Q. Do you know whether or not armed men went into Spencer's house that night, when you were there in his yard?—A. Yes, sir.

Q. Tell the committee what you know about that.—A. Well, about twelve o'clock or one o'clock—I ain't sure about the time of night—we went in Sam Spencer's—

Q. Who?—A. Sam Picksley, Spencer, and myself. We was up in his house, and Spencer said, "Boys, we better get out of here." I says, "No, I don't think they will come in here." He says, "You all better take my advice; I am going out anyhow;" and we went out of the house and turned the corner of his house, and men came in there. They came in there and asked for Spencer, and asked if he had any money in there. That was what I heard myself after I got out. My mother was sick in there, and I was uneasy. We crept back, and I could hear them talking to my mother and sister. They asked her where was Spencer's money. She told them that they didn't have any. They told her that she was a damned liar; I heard that, I know, distinctly. They staid in there some time, and we heard them coming down, and I jumped over in the yard, in Mrs. Damm's yard, opposite her cow-house, and staid there until I knowed all of them was gone out.

Q. Do you know whether the ferry to Augusta was taken possession of that night?—A. Not of my own knowledge; only by hearsay.

Q. Do you know anything else about this matter?—A. I know what Mr. Harrison Butler told us boys about two or three weeks before this thing taken place.

Q. You may tell what he told you.—A. He is a man that has a great deal of talk with the negroes around town there, and he would come in and go to talking about the election and everything; and he told us several times, in my presence, that he could bring from five hundred to fifteen hundred armed men in there any time.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. What do you know about the tearing up of those graves on the hill where you live?—A. Graves?

Q. Yes.—A. Do you mean the time some graves was dug into there?

Q. Yes.—A. All I know about that I know there was an old nigger there, a grave-digger, named—I will tell you his name in a few minutes—old man Jake Samuels, an old darkie here now in Columbia.

Q. How many graves were torn up?—A. I don't know; I understood they was accused of digging those graves, and they was arrested, and

they got out of it somehow; said they was looking for money or something that was buried there.

By Mr. CHRISTIANCY:

Q. You have no personal knowledge about that yourself?—A. No more than what I heard.

By Mr. MERRIMON:

Q. Do you know anything about the robberies around your town of wagons, &c.?—A. No more than what I heard. I have seen one or two trials there.

Q. How did you happen to get into that drill-room that night?—A. I happened to go in there because I thought that was the safest place for me to go.

Q. That was the most dangerous place for you to go to.—A. I didn't think so when I could not get home.

Q. You went there to get out of danger?—A. Yes, sir.

Q. Did you belong to that so-called military company?—A. No, sir.

Q. Had nothing to do with it?—A. No, sir.

Q. Still you ran into the drill-room?—A. Yes, sir; for the first time since that company has been organized.

Q. They sent you out to see what was going on; to make observations?—A. I went in there and Attaway axed my opinion, what I thought the white people was going to do; and he said, "Griffin, will you go out and see if there is any danger, or any way for us to get out of here," and I told him I would; and while he was talking to me I made up my mind to get back home if I could.

Q. How many men were in that drill-room?—A. I suppose about thirty-five or forty.

Q. You don't know who fired the first gun?—A. No, sir, but I am pretty confident it was fired from the river-bank.

Q. You heard that it was?—A. No, sir; from the reports of the guns from where I was standing. I would not swear that it was done from the river-bank.

Q. Did you not hear the darkies all say that it was fired from the river-bank?—A. Did I hear them all say that?

Q. Yes.—A. Of course I have heard them say so.

Q. You never heard the white people say that, did you?—A. I never heard them say nothing about it.

By Mr. CAMERON:

Q. Do you know Dock Adams?—A. Yes, sir.

Q. How long have you known him?—A. I don't know how long. The first time General Grant run for office I got acquainted with him; then I was working in Georgia.

Q. Do you know what the people in Hamburg say about him, as to whether he is a good man or not?—A. Yes, sir; and there in Augusta too.

Q. Well, what do they say about him?—A. The whites, since this Hamburg riot, says he is a mighty bad man. I have known him off and on, I suppose, for about fifteen years.

By Mr. CHRISTIANCY:

Q. What do the colored people say?—A. I never heard them say anything disrespectful of him.

By Mr. CAMERON:

Q. Did you ever hear the whites say anything about him before the Hamburg riot?—A. No, sir. He seemed to be a man that could get

a great deal of work out of the whites in Georgia, like myself. Before this last election of General Grant me and him took a very active part in Richmond County, Georgia.

Q. Do you know Sam Picksley?—A. Yes, sir.

Q. Do you know what they say about him, as to whether he is a good man?—A. No, sir.

Q. Did you ever hear anything said against him?—A. I never heard even any white people say anything against him. So far as I know about him he is a very quiet, peaceable kind of a man.

By Mr. MERRIMON:

Q. You have not heard anything said about Picksley by anybody, have you?—A. No, sir.

Q. He is sort of a character that nobody talks much about anyway?—A. No, sir.

FRANK ROBINSON—AIKEN COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

FRANK ROBINSON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live in Hamburg.

Q. How long have you lived there?—A. I have lived there ever since my birth.

Q. You have lived there all your life?—A. Yes, sir.

Q. How old are you?—A. Nineteen years old.

Q. Are you a member of the military company in Hamburg, called Dock Adams's company?—A. Yes, sir; I was a non-commissioned officer of that company.

Q. What office did you hold in that company?—A. Fourth corporal.

Q. How long have you been a member of it?—A. I had been a member of it for about three months—along about three months.

Q. Before July?—A. Yes, sir.

Q. Were you with the company on the 4th of July when they were drilling?—A. No, sir; I was not.

Q. Were you on the 8th of July?—A. On the 8th of July, the whole day until about five o'clock I was in a store where I staid at in Hamburg there; and at that time I left the store and went around the streets and went up in the drill-room. I saw so many men in town, about there, that I was afraid to stay there.

Q. You may tell us about how many white men you saw coming into town, and how they came; whether in squads or singly, or whether armed or not.—A. Well, I will tell you. The first buggy I seen come in, it contained General M. C. Butler and some other man, I don't know who he was. It was in front; and next I seen Robert Butler in his buggy and another man in there, with guns and pistols there in the buggy, and three men on horses behind them. They all went on around to Judge Rivers's office. They went around there and staid there a little while, and I stepped in the center of the street, and there I saw, I suppose, about one hundred and fifty men in the ditch, watering their horses, and they would come down in Hamburg, two and three at a time. I suppose they was assembled there about thirty or forty in the streets there. After that I left there and went to the drill-room and went on top of the house.

Q. What did you go to the drill-room for?—A. Well, I got scared. I thought it was not safe for me to stay there. They came into the store there—

Q. What store were you in?—A. Mrs. E. A. Booth's.

Q. Were you working for her at that time?—A. Yes, sir; and I still work for her now.

Q. Who came into the store, white men or colored men?—A. White men came in there and tried to buy cartridges and ammunition and buckshot and powder, and the like; and she forbid me to sell to them, and I would not sell them none, and they commenced cursing me, and some of them knew me, and one of them says, "You are one of the damned scoundrels that belongs to the militia company;" and I got out the back way and went around toward the drill-room and went up in there.

Q. Go on and state what took place after you got to the drill-room.—A. Well, I was in the drill-room about three quarters of an hour, I reckon, and the men they commenced surrounding the drill-room, and I was sitting on the left side of the house that runs down Center street, and I seen Henry Getzen, who was running all the women out of the street, and I said, "Boys, it looks like there going to be a fight here, it does, sure." And after that I went on the other side of the house, and got up on a chimney, and a little after that they commenced shooting on the drill-room, or the house.

Q. Where did that firing commence from?—A. It commenced from the abutment on the Columbia and Augusta Railroad-bridge.

Q. How long did the firing on the drill-room continue before any shots were fired from the drill-room?—A. I could not tell you how long they fired before any fire was returned from the top of the house. I don't know anything about the time; I was too excited.

By Mr. MERRIMON:

Q. You were on top, were you?—A. I was, sir. They fired on there about half a hour before there was a shot fired in return.

Q. That is from the top?—A. Yes, sir.

By Mr. CAMERON:

Q. Well, when did you go out of the drill-room?—A. I went out when the rest of them got out.

Q. Where did you go?—A. I went over into Schiller's office, me and another fellow, named John Freyer. We kept on through the office and went out in the street and tried to make our escape, but when we got in the street we got surrounded, and I aimed to get back, and after we went back I took and went on—

Q. Went back where?—A. Went back into Schiller's printing-office; and then I went through the yard and got over the fence and went into Davis Lepfield's yard, and as I got over the fence I was shot at, but I kept on through the yard and got under a pile of cross-ties. I was there about a quarter of an hour, and there was three men came there; two had pistols in their hands, and the third a lantern, and they looked around after me, and they caught hold of me and carried me on through Damm's dining-room out on the street to General M. C. Butler.

Q. What took place when they carried you to Butler?—A. They carried me out there, and he rode up and says, "Who is that?" I says "It's Frank Robinson;" he says, "What are you doing here?" I says, "I have not been doing anything; the men came in there and brought me out." He says, "Do you belong to the militia company?" I says, "I

do, sir." He says, "Well, we killed one damned nigger down there to-night, and I want you to go down there and see him, and see if you know him." And they put me under two guards and carried me down there, and when they got to where he was they says, "Who is that?" I says, "That is Jim Cook." They says, "He is the town-marshal, ain't he?" I says, "Yes, sir;" and they said, "Damn him, he will be a town-marshal no more;" and I says, "I don't know, sir;" and they took me back again, and the guards that had me they had pistols in their hands, and they said, "General, is you ready?" and he said, "No, don't kill him, but take him over there and keep him until I call for him."

Q. Butler said that?—A. Yes, sir; they carried me over the ditch right under the railroad, and I staid down there among a crowd of men, and he came back in half an hour and told them to carry me round to the ring.

Q. Who did?—A. General Butler.

Q. Well, what did they then do to you?—A. They carried me around there, and I staid there until they was making a way what to do with us all.

Q. Well, you staid there while they talked about what they would do with you all?—A. Yes, sir.

Q. What was the talk?—A. I don't know what they talked; they went off aside, a good ways from the ring.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Who told you to go into the drill-room?—A. Who told me to go in there?

Q. Yes; who told you to go in there?—A. Nobody never told me to go in there.

Q. Why did you go there?—A. I went there because I didn't know where else to go. I went there to get out of their way.

Q. You went right into the place of danger to get out of danger?—A. No, sir.

Q. Was it not a pretty dangerous place about that drill-room before you got out?—A. Yes, sir.

Q. You found it a pretty dangerous place?—A. Yes, sir.

Q. Quite as dangerous as the place you left?—A. It was not as dangerous as the place I left, only when they brought a cannon there, and we all left before the cannon commenced firing at us.

Q. Did you have a gun?—A. No, sir; I didn't have no gun.

Q. Did you have a pistol?—A. Yes, sir; I had an old pistol about that long, [indicating,] a little Derringer; that's all I had.

Q. You went up on top of the house?—A. Yes, sir.

Q. How many men were up there?—A. I suppose about ten or fifteen.

Q. Ten or fifteen men were up there?—A. Yes, sir.

Q. Had their guns?—A. Some of them.

Q. Did they fire up there?—A. There was not more than four or five fired.

Q. Who were they?—A. I don't know.

Q. You don't know who did that?—A. No, sir; I cannot tell who did that.

Q. You cannot tell who fired?—A. No, sir.

Q. But you are sure there was somebody fired?—A. Yes, sir.

Q. How much firing was there from the drill-room?—A. I could not tell.

Q. Give us an idea.—A. I could not tell exactly. I don't know.

Q. Could you hear them shooting?—A. From the rate the bullets came over the house—

Q. Could you hear them from the other places, too?—A. No, sir.

Q. How do you know where they shot from?—A. I was standing behind the chimney, and I seen the flashing from the river-bank from the pillar.

Q. Who was it that killed the young white man?—A. I don't know nothing about a young white man being killed.

Q. You don't know whether he was killed at all or not?—A. No, I don't know.

Q. You do not believe he was killed?—A. No, sir.

Q. Who tried to buy ammunition of you in the evening?—A. I don't know who it was.

Q. But when they were trying to buy that ammunition you got scared and went to the drill-room?—A. Yes, sir.

Q. Which way did you go—did you slip in?—A. Slip in? I did not.

Q. Did you go through the window into the drill-room?—A. I went through the streets.

Q. Any white men along in the streets?—A. Yes, sir; they was all along the street.

Q. How many men were in the drill-room?—A. About thirty-eight, I reckon.

Q. About thirty-eight?—A. There was about six men, and the balance of them, such as boys like myself, from nineteen to twenty-one, and along there.

SPENCER HARRIS—AIKEN COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

SPENCER HARRIS (colored) sworn and examined.

By Mr. CHRISTIANCY:

Question. What is your age, Mr. Harris?—Answer. Between thirty-six and thirty-seven years old, I think, sir, as near as I can get at it.

Q. Do you reside at Hamburgh?—A. Yes, sir.

Q. Were you at Hamburgh on the 8th of July last?—A. Yes, sir.

Q. What time did you arrive there?—A. I arrived in Hamburgh about six o'clock in the evening.

Q. Where did you go from?—A. I came over from Augusta, Ga.; my work was over there.

Q. What did you see when you got over into Hamburgh; anything unusual?—A. Yes, sir; Hamburgh was full of white people.

Q. Were they armed white people or not?—A. Yes, sir; armed white people.

Q. What were they doing?—A. Well, they was riding about from one corner to the other, and had their horses hitched all about there in town.

Q. Well, were they quiet and peaceable, or did they seem to be excited?—A. Seemed to be excited, sir; looked like they were excited about something.

Q. Well, go on and describe what you saw and what you did.—A. When I seen the large multitude of white people and seen their arms, I knowed—at least, I thought—I expected that there would be some

trouble. I went about the street awhile, and I seen Mr. Getzen and Mr. Butler and Mr.——

Q. Which Butler?—A. Harrison Butler and old man Butler.

Q. Old man R. J. Butler?—A. Yes, sir; and his son Tommy. They kept coming into town then, so many of them, until I got afraid to stay out on the street.

Q. What were they saying; were they saying anything against the colored people?—A. I didn't stay close enough to them; I just staid off at a distance, and I was not close enough to understand what they said; and we goes up in the drill-room where the company was.

Q. Were you a member of the company?—A. No, sir; I were not a member of the company—I wa'n't a member at all; and I goes up there for protection, for safety, and I staid up there.

Q. About what time was it when you got up there?—A. Well, sir, it was about, I reckon, then half past six, as near as I can come at it; I didn't have the exact time, but as near as I can come at it, it was about half past six when I went up there, and I staid up there until they commenced firing.

Q. Who commenced firing; where was the firing from first?—A. From the Charlotte and Columbia bridge, down there near the river-bank.

Q. Where did they fire to?—A. Over upon the drill-room.

Q. They fired upon the drill-room?—A. Upon the drill-room, sir.

Q. Were you then in the drill-room?—A. In the drill-room, right there at the time; and the first fire I heard I was right in the drill-room. The fire was right from the river-bank, from the Charlotte and Columbia Railroad.

Q. How long did they continue to fire in that way?—A. They continued to fire in that way for the space of half an hour before the company ever returned any of the fire.

Q. Then they returned the firing, did they, from the drill-room?—A. Yes, sir.

Q. Well, what took place then?—A. Well, they fired on in that way. I could not tell you exactly how long, but it got so hot firing on us up there until we went down the back way and went out, got out of the drill-room and squandered about trying to get out of the way, and I went under my house.

Q. You went under your house?—A. I went under my house and they came to searching under my house, and I knowed they would catch me under there, and I started to get out and I asked them, "Please don't shoot me, I surrender;" and they told me to come out. And they taken me and carried me down to the ring where they had some more of them they had catched, and they kept me there until they got a good many men; and they moved the ring then and went down near the Charleston Railroad, and had another ring down there and put me in that ring.

By Mr. CAMERON:

Q. About what time was that when they moved you?—A. What time it was, sir?

Q. Yes.—A. I declare I could not tell you just what time it was.

By Mr. CHRISTIANCY:

Q. You could not judge the time very accurately in that excitement?—I could not judge what time it was; I ain't certain of it, you know, but I think it was near twelve o'clock that they moved us from the first ring to the second ring. Then they kept me there until they got all that they could catch, or all that they did catch, and they was talking

what they should do with us. Some says, "Pile them up, one on the top of the other, like frogs, and shoot them off;" and some says one thing and some says another; and some says, "Let's carry them to the swamp and loose them there;" and some says, "Let's carry them to Aiken." And they says, "Let's court-martial them." And another says, "No; General Butler has given us orders; let's get orders from General Butler." And they goes off a little piece from that ring—there was a crowd of white men—a little piece from that ring, and when they come back they says, "We have got orders now from General Butler what to do, and the first man we take is Attaway." They taken Mr. Attaway and went off across the Carolina Railroad, and we heard a tremendously firing, and they came back again, and some of them says, "Go and get an order from General Butler;" and they went off where that crowd of white men was, and came back and says, "We have got an order from General Butler to take David Phillips." And they took him and carried him away, and I heard a tremendously firing and they came back without him, and this time there was a gentleman there that knew me and he takes me out of the ring.

Q. He took you out of the ring?—A. He took me out of the ring; said I didn't belong to the company no how. He says, "He is a boy that I know, and he is a harmless boy;" and he took me out and carried me off; and what time he done that I don't know, but when I left the ring it was after they killed them two, and when they carried me off there was another young man by the name of Stevens—I think his name was—and they shot him as I was going out.

Q. You were not there when Alfred Minyard was taken out?—A. I don't know whether it was Minyard or Stevens. They took him out and shot him as I was going out.

Q. One or the other?—A. One or the other; but which one I don't know, sir, for certain.

Q. After that you didn't see any more of it?—A. No, sir; I went clean off from there; that was why I could not see. The gentleman carried me off where I would be safe.

By Mr. CAMERON:

Q. What white men did you recognize there that night?—A. That evening?

Q. Yes.—A. There was Tommy Butler, and Harrison Butler, and Henry Getzen, and old man Butler.

By Mr. CHRISTIANCY:

Q. Old man R. P. Butler?—A. Yes, sir; Tommy Butler's father.

By Mr. CAMERON:

Q. Did you see General Butler there?—A. No, sir; if I seen him I didn't know him; I only heard his name called.

Q. How long have you lived in Hamburg?—A. I have lived there, I reckon, about fifteen years.

Q. Do you know Dock Adams?—A. Yes, sir.

Q. Do you know what his reputation is for truth in Hamburg; what do people say about him?—A. No, sir, I don't.

Q. Have you heard anybody say anything against him?—A. No, sir; I have not heard any one say anything against him at all, sir.

By Mr. CHRISTIANCY:

Q. Are the majority of the people in Hamburg colored or white?—A. Colored.

Q. Do you know the opinion of the majority of the people there of Dock Adams; what they think of Dock Adams; whether they think he is a good man or a bad man?—A. Well, the majority of the people of Hamburg speaks in his behalf as a gentleman; they all speak of him as a very nice man. As far as I know about him, they has not found any fault with him.

Q. How long has he lived there?—A. Well, sir, that is most too hard for me. I could not tell you exactly how long he has been there, but as near as I can come at it, though, I think he has been there two years. I am not positive though, sir; but, as near as I can come at it, he has been there two years if not longer.

Q. Well, judging from the estimation which the people hold him in there and their opinion of him, would you believe him under oath?—A. Yes, sir; I would believe him.

By Mr. CAMERON:

Q. Do you know T. J. Moore, a colored man?—A. No, sir.

Q. Do you know a man named Moore in Hamburg?—A. No, sir.

Q. Do you know a man named Samuel P. Picksley?—A. Yes, sir.

Q. How long have you known him?—A. I have known Mr. Picksley something over two years, I think, sir.

Q. Do you know what his reputation in Hamburg is?—A. I don't know anything but the general opinion of him. Everybody speaks well of him, white and black—of Mr. Picksley—as far as I know about it, in Hamburg.

Q. From what you know of his reputation in Hamburg, would you believe him under oath?—A. Yes, sir, I would; emphatically, I would.

Q. Do you know Louis Schiller?—A. Yes, sir.

Q. How long have you known him?—A. I have known him three or four years, as well as I can come at it.

Q. He is a white man?—A. Yes, sir; a white man.

Q. What was his business there in Hamburg during the last year?—A. Nothing but a printer; he has lately put up a printing-office there. He used to be a member of the company there in Hamburg.

Q. Was he a trial-justice too?—A. Yes, sir; a trial-justice too.

Q. Do you know what his reputation is in Hamburg; what the people say about him?—A. I didn't hear anything among the people there in Hamburg more than he was a very nice man. I never heard anything else of him. He was a very nice man.

Q. From what you know of Schiller, of his reputation in Hamburg, would you believe him under oath?—A. Yes, sir, I would.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Don't you know that there were a great many people there who say that Dock Adams is a great scoundrel?—A. No, sir.

Q. Have you not heard so?—A. If I ever heard so, it is more than I can remember.

Q. Did you not hear it in Augusta?—A. No, sir.

Q. Never heard it there?—A. No, sir.

Q. Never heard anything against him in your life?—A. I never heard anything against Dock Adams.

Q. Nor Schiller?—A. Well, I heard some white people give him a biting there.

Q. Nor Picksley?—A. Nor Picksley.

Q. Black or white?—A. No, sir.

Q. Whom did you hear speak of him?—A. Of Mr. Schiller?

Q. Yes.—A. I have heard some of the Butlers speak about him, but which one I don't know; but I have heard.

Q. Has he not the reputation of being a defaulter in office, failing to pay over money that he got?—A. Let me understand you.

Q. Don't you understand from the people that he failed to pay over the money that he got?—A. No, sir.

Q. You never heard that?—A. No, sir; I never heard that. I am not in Hamburg only at night. My business is all over in Augusta.

Q. Then when you speak of the character of these men, you speak of what you know yourself?—A. Of what I know myself.

Q. You don't know what other folks think about them?—A. I don't know what other folks think about them, but I have heard them talking about them, but I never heard anybody say they was anyways kind of rascally men.

Q. Tell us what you went to the drill-room that night for.—A. I went in there for safety; to keep from getting hurt.

Q. Why, that was the most dangerous place you could go to, in the drill-room.—A. If it was, I didn't think so, because most all the men went up there, and I thought it was a heap the best to be where the most men was.

Q. You thought that they would not fight when there was a big crowd of men?—A. I didn't think that they was going to hurt me if I was inside there.

Q. Did they fire any guns from the drill-room?—A. Yes, sir.

Q. How many?—A. I don't know how many.

Q. Twenty?—A. I don't know how many.

Q. Well, give us an idea. I don't expect you to say exactly the number, but give us an idea.—A. I think there was about thirty-six up there.

Q. Did they all fire?—A. I don't know whether they all fired up there or not.

Q. Some of them went out on top?—A. Some of them went out on top.

Q. How many went out there?—A. I don't know exactly how many went out.

Q. Did they take their guns and pistols out with them?—A. They took their guns out with them up there.

Q. Did you hear them fire from up there?—A. I heard them fire from inside the drill-room. I could not tell exactly whether they fired from on top when they was firing; whether it was from on top or inside the drill-room. I was excited. I was not in the room—in the main room where they were shooting from. I was in a room privately to myself.

By Mr. CHRISTIANCY:

Q. You could not tell whether the firing was from the inside of the building or on top?—A. No, sir.

By Mr. MERRIMON:

Q. But you know they had guns in both places?—A. Yes, sir.

Q. How many guns were in there?—A. I don't know exactly; but as near as I can tell, to give a guess at it, there was about thirty guns up there.

Q. How much ammunition did they have in there?—A. I don't know how much ammunition they had there.

Q. You didn't notice the ammunition?—A. The ammunition that they had they had in their pockets, as near as I can get at it. I don't belong to the company.

Q. You were not armed?—A. No, sir.

Q. Had no gun at all?—A. I was not armed with a militia-gun. I had an old gun of my own that I carried out of my house for fear that they might attack me, and I kept it with me to protect me.

Q. You went to the house and got your gun?—A. I went to my house and got my gun so I could defend myself.

Q. Why didn't you stay in your house like a quiet man?—A. I was afraid they would go and take me out.

Q. How much ammunition did you have?—A. None; only what was in my gun.

Q. Had you a pistol also?—A. No, sir.

Q. Just had your gun?—A. Just had my gun.

Q. What sort of gun was it?—A. A double-barreled gun.

Q. A shot-gun?—A. Yes, sir.

Q. Did you shoot it off that night?—A. No, sir.

Q. Are you sure of that?—A. I am sure of that; just as sure as can be. I know I never shot it off. I wanted to keep it to protect me, and keep anybody off of me.

Q. Where did they catch you?—A. They catched me under my house.

By Mr. CHRISTIANCY:

Q. How do you know that any of those that went up on top of the house had guns with them?—A. I seen them when they came down. They had guns.

Q. Who had guns?—A. That company.

Q. Those that were up on the roof, I mean?—A. That is what I am talking about.

Q. Do you know whether each one of them had a gun or only part of them?—A. I never taken notice whether all of them had guns or not; but I know I seen some of them with guns. I likes to tell the truth as near as possible, and I would not tell anything that was not so, if it was possible. I don't care which side it goes. I want to tell the truth.

J. C. CANNON—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

J. C. CANNON (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I lives in Edgefield County, Washington Township, Shaw's precinct. I reckon I am giving the thing right.

Q. How far is that from Edgefield Court-House?—A. Nineteen miles.

Q. Were you one of the officers of the election?—A. Yes, sir.

Q. What was your office?—A. Marshal.

Q. Now, you may go on and tell us what happened at that precinct on the day of the election.—A. Well, the first place, on a Monday, which was the 6th of December, Mr. Joe Merriweather was the man that had the key and Seber Merriweather was the man had the box, and he was a colored man, and Mr. Joe Merriweather is a white man and a demo-

crat, and Seber Merriweather was a republican. He rode all day Monday after the box, this white man did.

Q. What do you mean by that; where did he ride to?—A. Where did he ride to?

Q. Yes.—A. He was going all around trying to inquire where the box was at, and he had no right to the box because he had the key; and the managers told him I had the box, and he was trying to get a chance to get away with the box. There was two republican managers and one democrat, and they were to swear in each other; and on the day of the 7th of November there wasn't but one republican manager, and Jerry Mackey, they would not let him take part because he was not sworn in; and the oath was put in the box, and when they went to open the box for the election, the thing could not be found in it.

Q. What thing?—A. The oath. We taken the box Tuesday morning before the polls were open there, and one of the managers he was sitting there on it, and they taken it from under him and carried it off to the house, and when the box came to be opened the thing was not in there, and instead of there being two republican managers there was but one, and one democratic manager.

Q. There were two managers only?—A. Yes, sir; when there should have been three; and in the commencement of the election, when the box was opened on the ground, that is, the election was open, and they started to voting right on the ground, and they found out that they couldn't do there like what they wanted to do, and when the election was open they taken the box and carried it up-stairs, and they got it like they wanted to do, and they took it and carried it up there, and they went to voting up there, and I would not agree for the managers to go up there, and I said, "Stay down where every man can put in his ticket." They had the box, and it was surrounded by democrats for the space of thirty minutes. And then I went to the camps where the officers was—the soldiers—and told them where the box was put, and that they had taken it and carried it up there, and that we could not go up there to vote, for we must have the box so every man can put in his own ticket. I said I had orders not to have the box there, and I said it ought to be placed where every man could put in his own ticket, and then I told him what my decision was—this commission, what I had for the marshal; and I would not agree to have the box up there; and they brought the box down there where we could vote again. I was the marshal; I was the precinct chairman, too; but I didn't have anything to do with issuing the tickets, and I only gave them to the delegates to issue. I never had anything to do with it after they deputized me deputy marshal.

On that morning, on the day of the election, I told the people that every man should vote according to his own opinion. If a colored man wanted to vote the democratic ticket, he was privileged to do it; and if a white man wanted to vote the republican ticket, he was privileged to do it. No man need to vote any way but the way he wanted to vote. If any man was persuaded to vote he had a right to arrest him if he was trying to make him vote if he didn't want to vote.

There was a white man there by the name of Robert Morgan. I says, "If anybody uses 'timidation there, I will arrest him;" and he said he would like damned well to see me arrest a white man. I told him I would arrest any man of either party; it was my duty to do it, and I should do it; and he said he would like to see me do it, and damned if he wouldn't shoot me; and he had his hand on his coat pretty close to his pistol at the time he was talking with me.

I had to go down to Columbia about this same thing, and when I went back home I was turned off from the place, the 12th of December, on account of being an officer. Mr. Hudson says his reason for turning me off was because I was a leader in politics.

Q. Whose land were you on?—A. Dr. Hudson's.

Q. How long had you been on his place?—A. Three or four years.

Q. You rented on shares?—A. My father renting the land, and I worked with him; and he ordered me off the 12th of December.

Q. Dr. Hudson is a white man and a democrat?—A. Yes, sir; but they had been trying to persuade me to have nothing to do with politics, and I would not agree with him, and he taken me out—you know I was a leader in that township for the people—I was the precinct chairman.

Q. What did Dr. Hudson tell you the reason was that he wanted you to leave?—A. Because I was a United States officer.

Q. Tell us what took place between you and Dr. Hudson, when he told you that he would not let you stay on his place any longer.—A. He was advising me long before the month of the election not to interfere with politics, and I would not agree with him; and just before the election he came and took me out again, and took me out in the swamp, and told me that if I didn't let alone following up politics I would lose my life. That was before the election.

By Mr. MERRIMON:

Q. Who did that?—A. Dr. Hudson; this same man; and the day of the election he came and, patting me on the shoulder, just so, says, "Now, let me tell you one thing; don't you have anything to do here to-day; you keep quiet." I told him I was going to do according to law, to my understanding; and he turned me off afterward.

By Mr. CAMERON:

Q. Did he tell you anything?—A. He told me what I told you about a United States officer; that is what he told me, and not meddling with politics; that is what I have told you about; that he told me so out of his mouth. He told me on the 12th of December—that was the month after the election was.

Q. After the election was in November?—A. Yes, sir. Then in December, since the election, he ordered me off his place. I didn't move right off, and next the order was to have me subscribed, [proscribed.] I said, "I cannot get a home anywhere, any which way I go;" and he said, "You cannot stop here." And I ain't got no home, anyhow, and I expect my family now is out of doors. He charged me \$5 a day from the 1st of January.

Q. Did he tell you so?—A. Yes; that is, he made the agent do it.

Q. Did his agent tell you?—A. Yes, sir; he came right to my door and told me so.

Q. What did his agent say?—A. He says, "You must leave the house, and get out of this house. I want it." That was the first week in January.

Q. What else did he say to you?—A. I told him I was going to take time, and said to him, "I am going to take time in leaving." He says, "As long as you stay on the place from the 1st of January you have got to pay \$5 a day." If that is right I want to know it, because I cannot get a home anywhere; if I cannot get a home at Edgfield Court-House I cannot get it anywhere.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. Are you paying \$5 a day now?—A. No, sir.

Q. Is your father's lease out?—A. Yes, sir.

Q. Out the 31st of December?—A. Yes, sir.

Q. Who appointed you a deputy marshal?—A. Mr. Beatty. I don't know his name, but it is at home, and I ain't got it here with me.

Q. What sort of a paper is it?—A. It is in two papers, one in printing from beginning to end, and one is writing on one side and writing and printing on the other.

Q. What were your duties there?—A. I was just marshal.

Q. What did you have to do as marshal?—A. I was to keep peace—to have no confusion. If there was any confusion or tumult or anything I was to stop it. If there was anything of that kind I was to arrest them, and if I could not do that I was to go to camp for the soldiers.

Q. Did you have any right to tell them where to put the box?—A. That was what they told me at the court-house.

Q. What right had you to the box? You had the box on Monday.—A. No, sir; I never had that. They told me I had it to get a chance to get away to carry it to the poll. The manager did, because he didn't feel it was right that he should have the box when he had the key. Mr. Merriweather, the democrat, had the key, and Seber Merriweather, a republican, had the box.

Q. Was that not right?—A. Yes, sir.

By Mr. CHRISTIANCY:

Q. But the democrat wanted to get the box and the key both?—A. Yes, sir; and he did get it Tuesday morning.

By Mr. MERRIMON:

Q. Who said so?—A. I saw him when he went into the door with it.

Q. Was not the republican poll-holder with him?—A. No, sir.

Q. Was he by himself?—A. By himself, with the other democrats.

Q. What sort of a man is Mr. Merriweather?—A. How do you mean?

Q. Is he a respectable man or a bad man?—A. He is a bad man.

Q. A bad man, is he?—A. Yes, sir; he don't—I don't know what to say about him—

Q. Is he a thief?—A. I don't know what that means.

Q. Does he steal?—A. No, sir; he don't do that, as I knows on. I never have lived with him, but I have been living close to him.

Q. Does he lie?—A. I don't know, sir, about that.

Q. At all events, you don't have much faith in him?—A. No, sir; I don't have none.

Q. You have not got much faith in any white people there at all?—A. Of course I have.

Q. Don't you think they treat the blacks very badly?—A. The white people?

Q. Yes.—A. Some of them do, and some of them don't.

Q. You voted?—A. Yes, sir.

Q. How many voted at your box?—A. I could not tell exactly to save my life, but there was ten to one.

Q. Blacks?—A. Yes, sir.

Q. The blacks were ten to one white man?—A. Yes, sir; ten to one white man.

Q. Was it a large vote?—A. Yes, sir; between four hundred and five hundred.

Q. Troops were there?—A. Yes, sir.

Q. What was the name of the precinct?—A. Shaw's precinct.

Q. All voted?—A. Yes, sir; every man that wanted to vote that day

that they thought was old enough. Mr. Miller was the man to challenge the votes, and many a white man voted there without giving his name; just told the clerk, and said "You know my name;" and there was some white people voted there that I didn't know the names of, I am not able to think.

Q. Did they swear them?—A. Yes, sir; they swore some of them, and some they didn't.

Q. They didn't swear them all?—A. No, sir; they didn't.

Q. Are you sure of that?—A. Yes, sir; I am sure of it, because I saw that. I was standing right there, and I saw them walk up and swear them that they did swear. There was not very many that they didn't swear in.

Q. Why didn't you stop that?—A. I thought that was the supervisors' business.

Q. You didn't think that was in your line?—A. No, sir.

Q. Was there a colored supervisor there?—A. Yes, sir.

Q. A white one, too?—A. Yes, sir.

Q. Did they not interfere?—A. Interfere with them men?

Q. Yes.—A. No, sir.

Q. Neither the black nor the white man interfered?—A. No, sir. The white men interfered with the black people, and the blacks didn't interfere with the white people.

Q. Were there troops there?—A. Yes, sir.

Q. And the troops were there to back them, too?—A. Yes, sir; but they didn't ask for no troops. They said that over fifty times.

JOHN MARTINBOROUGH—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

JOHN MARTINBOROUGH (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Edgefield village.

Q. How long have you resided there?—A. Very nearly two years.

Q. Where did you reside prior to going to Edgefield?—A. In New York City.

Q. Of what State are you a native?—A. New York.

Q. What official connection did you have with the election in Edgefield County last fall?—A. I was manager of the election.

Q. At what precinct?—A. Box No. 2, Edgefield village.

Q. You may go on and state what occurred at that box on the day of the election.

The WITNESS. Shall I state what occurred the day after the election also?

Mr. CAMERON. Yes, sir; commence that date or farther back than that, if anything special occurred.

A. Before the election there was considerable threatening and considerable intimidation going on, and on the day previous to the election the commissioners gave me the box and told me to hold the polls at the school-house there, and the democratic manager endeavored to take the box away from me, but didn't prevail.

Q. Now, how did he endeavor to take it away from you?—A. He came and abused me, and drew his pistol, and so on.

By Mr. MERRIMON:

Q. Who was he?—A. M. A. Markart.

By Mr. CAMERON:

Q. Go right on.—A. On the afternoon of the 6th I went to the school-house, where the voting was to take place, and erected a railing there to keep the voters in front of the boxes, so that they could go right in the door and deposit their tickets in the box. That night about seven o'clock about three hundred white men came from the country on horse-back, and went over there by the school-house and arranged themselves there and built fires and had a tent. They were armed with pistols and guns, and there was a wagon with guns there.

By Mr. MERRIMON:

Q. Did you see it?—A. I saw it.

Q. You saw the wagon with guns?—A. I saw the wagon with guns.

Q. How many?—A. The wagon was full; I don't know how many guns were in it.

By Mr. CAMERON:

Q. Go right on with your statement.—A. I heard, toward night, that they had broken down the railing I had built in the school-house and I went to see. It was a dark night and raining, so I knew they could not tell I was a colored man, and I walked among them and I looked in the school-house window, and I saw the railing, and I thought that the railing was broken down, and I went then to the door, where I could see better, and I saw that it was broken down; and I went back to the United States marshal, the commissioner, and told him about it, and he said he would do something; I don't know what he did. In the morning about half past five I and the other republican manager went over there, and the outside of building was crowded with men, and they had a fire and had a tent there.

Q. White men?—A. White men. They were cursing and going on and abusing and cursing shamefully every notable republican that they knew of. We went in the building and we found that crowded; and they had a fire in there, and some were lying down on the floor and some sitting down. As soon as we went in a good many of them hollered, "Here goes the radicals with the box." There I saw M. A. Parmenter, Orlando Sheppard, acting United States supervisor, and many other white men. And I asked the gentlemen to allow me room to re-erect this railing, and they cursed and went on and said, "No, you shan't do it;" and some of them circled around me with pistols, bludgeons, and sticks and everything else, cursing and abusing me. Well, I spoke to Markart, the democratic supervisor, and he talked indifferently, as if he didn't care whether it was built or not. Then we spoke to Mr. Sheppard, and Sheppard he would do nothing.

By Mr. MERRIMON:

Q. Who is Shepard?—A. Orlando Sheppard, United States supervisor there; and after a while we managed to get them out, and I told them, "Well, gentlemen, if you don't intend to let me go on and re-erect this railing I will go away with the box." I just told them that, but at the same time I had no idea of doing it, thinking I might get them out so as to fix the railing. Well, they went out, and with the assistance of the republican manager and one or two other men I got the railing up. About that time—it was about five minutes of six—I swore the clerk, and the polling commenced. There were only three colored men there;

that was myself and the other republican manager, and Harris, United States deputy marshal, I think he is.

Well, the democrats voted there, about three hundred of them, all that were around the house, and then about that time they went out and mounted their horses and surrounded the house and hollered, and there was shooting going on, and the democrats came in to vote, and we swore them, ten at a time, and they voted. The majority of the managers of the election had selected a clerk of their own, and the democrats they wanted a clerk, and for quiet's sake I gave them a clerk also—two clerks. Well, they went on voting, and a great many of the democrats who had voted they came back and wanted to vote again. I said, "Well, you have voted before," and a lot of the other men around there said, "These men have not voted and they shall vote," and I could not say anything amongst those men, so I had to let them do it. They drew their pistols out and their clubs, and were cursing and abusing me, and a great many said that they would do this, that, and the other thing, and I had to let it go on. I asked them their names and they would not tell me; they would go to the democratic clerk and whisper their names to him. I don't know how many white men did repeat.

By Mr. MERRIMON:

Q. Can you tell us a few of them?—A. I cannot tell you how many did repeat; most all of them repeated.

Q. Give us a few of the men.—A. I don't know their names, as I am a new comer in Edgefield; only been there about two years. A great many of them live away back in Dark Corner, about forty or fifty miles from the village.

By Mr. CAMERON:

Q. Can you give the committee an idea of the number of white men who repeated, as you have here stated?—A. At that box?

Q. Yes.—A. I think at that box there was about, I should say, one hundred and seventy-five repeated. I cannot tell how often they repeated though.

By Mr. MERRIMON:

Q. Do you mean to say that they repeated at that time?—A. I say that they repeated. They voted the first time; of course they were allowed to do that; and a little later in the day they would come again and vote, and so on and so on. I cannot tell how often they repeated. They spoke secretly to the clerk and gave him their names—some of them did, and they would come and give another name, an assumed name. Some of them I would ask them where they lived and if they were residents of the place sixty days before the election. They would not tell me, and they says "None of your business;" and they drew their pistols and cursed me and said, "You damned negro radical, you ain't got no business to ask a white man such questions;" and the democrats standing by would say, "You needn't answer," and tell me "Don't ask another question or I will hit you with this club," or "I will shoot you with this pistol." By nine o'clock the white men stopped voting, and I think the first colored man that voted was this United States marshal.

By Mr. CAMERON:

Q. State how matters were carried on there during the remainder of the day.—A. A great many of the colored men came up about nine o'clock; I don't know what hour it was, but I think it was about nine o'clock;

and then the white men on horses, they surrounded the house and backed their horses up to the doors and the windows and at every place where the colored people could come in to vote.

Q. With their horses' heads out?—A. With their horses' heads out and the rumps of their horses in the door, and as the colored men came up to vote they would curse them and beat them with clubs. That I saw myself as I stood right in front of the door, and I could look out of the windows and see it. The United States marshal, Mr. Beatty, was there, and I told him about it, and spoke to Shepard.

By Mr. MERRIMON :

Q. Who was Beatty?—A. I don't know anything about him, only I know he was Beatty; that is all; and I spoke to him about it and talked to Shepard and some other men who were there, and they did nothing until late in the day. The soldiers came, and they went through her windows and went out through the doors and made way for the colored men to go and vote, and as they came to vote, ten at a time, Shepard would ask them all sorts of frivolous questions. He would ask old men, eighty years old, if they were twenty-one. And white men previous to that had come in and voted in some of the colored men's names, and when the colored men gave their names they would say, "Well, God damn you, you have voted before, you sha'n't vote," and then they would resort to the list of names, and probably there were three, four, or five hundred men had voted, and they had to go back through all the list; they were losing time, and that was what they were after, and they would find this name and say, "Damn you, you voted before; you sha'n't vote again;" and I said to the colored men, "If you have not voted, somebody has voted in your name."

Now and then they would let one vote, but they would generally turn them out. I could not do anything. They had me completely under their thumb. A great many as they came in to vote took their tickets away from them and gave them forged tickets. The republican tickets were red, and these men could not read or write, and they would think it was all right, and they would vote it. They would take the republican ticket away from them and give them a democratic ticket, except a few of the colored men, and they would not let them take their tickets away from them.

As they voted they would pass out through the window. That manner of doing things continued until quite late in the day. The colored men outside were threatened and abused in all sorts of fashion, and they would not allow them to vote. When the polls closed, I think there were about nine hundred of those colored men had not got an opportunity to vote, simply because the democrats would not let them vote, and they beat them away, and if they did get a chance to come up and vote they asked all sorts of frivolous questions, simply to retard them.

By Mr. CHRISTIANCY :

Q. To take up the time?—A. To take up the time.

By Mr. CAMERON :

Q. What was the condition of affairs in the town of Edgefield on the night after the election?—A. There were many white men about there dressed in red shirts, drunk, cursing, and abusing.

Q. You can state whether they made a great deal of noise, or whether they fired off their guns.—A. They did, and they fired off their guns.

By Mr. CHRISTIANCY :

Q. Were they riding backwards and forwards?—A. Riding back-

wards and forwards, hollering for Hampton. Why, times had been so turbulent there that I had to stay in the house quite a time; I feared to go out. In fact, I received—men have told me, but I suppose that is not relevant.

By Mr. CAMERON :

Q. It is relevant if democrats have told you anything.—A. No ; not democrats; they didn't tell me.

Q. If there is any other fact that you desire to state to the committee, to which I have not called your attention specially, you can do so.—A. I can tell you what occurred after the election.

Q. Very well ; do so.—A. Well, I think it was on the day after, or the second day after, the election, on the 8th or 9th—and on the evening of the election, after the polls were closed, a great many men gathered around me there, where the managers were, around the box, and one fellow came to me and says—

Q. A white man?—A. Yes, sir ; a white man—John Swaringen—a notorious fellow, and he says to me, "Don't you want a drink of whisky?" I says, "No; I don't drink;" and he says, "I have got a good demijohn of whisky behind here." Says I, "No; I am busy now, Mr. Swaringen; don't bother me; I want to count these votes." Swaringen went off to Orlando Shepard; and another fellow came up and says to me, "You damned radicals beat us at this box." He says, "If you want to make some money, you just throw out the radical votes, and count in the democrats." Says I, "No, sir."

By Mr. CHRISTIANCY :

Q. That was said in a low tone of voice?—A. Yes, sir; he just discharged it right in my ear. I said, "No, sir," loud; and some other white men about there, they looked up. This fellow hunched me—this white man—and I went on counting the votes; and they staid around there annoying us until about one o'clock or half past one in the morning; and then we got through counting the votes.

By Mr. CAMERON :

Q. State the condition of affairs the day after the election, or any time after the election.—A. O, after that, I heard, and I knew a great many colored men were being abused and turned from their places of employment, and so on, and the democrats went about the streets—

By Mr. MERRIMON :

Q. How did you know it?—A. Because they told me so.

Q. We have told you half a dozen times not to tell what they told you.—A. I know some of them have been discharged.

Q. Of your own knowledge?—A. I know they had to leave their places. I am a practitioner at the Edgefield bar, and they made application to me.

Q. You are a lawyer?—A. Yes, sir; I was admitted to the Edgefield bar, and was examined by some of the democratic lawyers, Norris and Abney and Rainey. Many of them have since been robbed of their goods and personal property. Many of them made application to the trial-justices there, but most of them are democrats, and, in fact, all of them are.

By Mr. CHRISTIANCY ;

Q. The trial-justices?—A. Yes, sir; and they gave them no redress. A great many of them had their personal property, which was exempt from attachment, taken for their debts, and many of them were turned

out in the streets, and they would apply to their colored friends about there to relieve them, and some of their friends were living on white men's places, and the white men would tell them that if they relieved any of them they would kick them off their places. One man came to me to attend to his case for him, before John Edson—this colored man went before this trial-justice Edson, and told him what——

By Mr. MERRIMON :

Q. Were you there ?—A. I was there. He told me what this Broadwater had did to him. It appears that this man had owed Broadwater a debt, of \$24, I think it was, and Broadwater took three bales of this man's cotton——

By Mr. CHRISTIANCY :

Q. That was the allegation ?—A. That was the allegation—to Augusta, and sold it to get that \$24; and this matter was adjusted somehow or another in Augusta; and after this colored man came back Broadwater threatened to shoot or to kill him; and that was the case he was going before the justice about; and Broadwater followed him to his house and shot in the window at him, and the man had the balls in his hand. He went and made a complaint to the justice, and the justice said to him, "I cannot attend to this case." He went to Rainney, and Rainney said he would issue a warrant for him, and the thing has not been done; and that was last Monday.

By Mr. MERRIMON :

Q. How many men voted at box No. 2 ?—A. I don't know how many did vote there, but I think there were about, somewhere near fifteen hundred.

Q. How long would it take a man to vote ?—A. The democrats, it took them no time to vote. All they had to do was to be sworn, to give their names, and deposit their tickets.

Q. Well, how long did it take them to vote ?—A. Only about three seconds, after being sworn; and they would swear ten of them at a time.

Q. They voted about fifteen a minute, and it would take a white man about three seconds to vote ?—A. Yes, sir.

Q. Do you think they would vote twenty a minute ?—A. Well, yes, sir.

Q. Did you vote twenty a minute ?—A. No; I don't know exactly about twenty a minute. I could not vote twenty a minute.

Q. Well, say how many you can vote in a minute.—A. After they were sworn and gave their names, I should think they could vote twenty in a minute.

Q. I just want to get your idea of how many you could vote in a minute, swearing and all.—A. The swearing and all ?

Q. Yes.—A. Depends entirely upon how rapidly the men come into the room to be sworn.

Q. Well, as rapidly as they did come in.—A. Ten came in at a time, and I would swear ten men.

Q. Just give us an estimate of how many men you could vote in a minute.—A. I think I could do that in about three minutes, I should think.

By Mr. CHRISTIANCY :

Q. Three minutes to what ?—A. To ten white men after being sworn.

By Mr. MERRIMON :

Q. But swearing and all; I want to know about both. I just want

your estimate of how long it would take you to swear them and vote them?—A. About four minutes.

Q. How many negroes voted at that box?—A. How many colored men?

Q. Yes.—A. I don't know exactly how many did vote.

Q. Well, give us an idea.—A. I think there were about five hundred; I should think about that.

Q. Not exceeding that number?—A. Well, I don't give that accurately; that is simply a rough guess.

Q. Well, that is about the number, is it?—A. I say between six hundred and five hundred and fifty.

Q. Not exceeding that number?—A. I don't know—

Q. How many white men voted at that box?—A. Well, I think there were—I told you a great many of them repeated.

Q. Well, I am coming to repeating directly; how many white men fairly voted at that box?—A. I think there were eight or nine—between seven and eight hundred votes polled there by white men.

Q. The vote polled at that box was between seven and eight hundred of white men?—A. Yes, sir.

Q. About how many do you say repeated?—A. I think about one hundred and seventy-five repeated.

Q. How do you know they repeated?—A. I remember them; I knew that they had voted before, a good many of them. I expected that; I had heard something about that before. The voting commenced, and I noticed them closely, and a great many of them that voted when they went out, I would see them from the window or the door change their coats and their hats with others.

Q. Did you see them do that?—A. I saw them do that. They would come there with their hats pulled down over their eyes and their coat-collars turned up, and their pantaloons in their boots.

Q. You saw all these things being done in the yard?—A. Yes, sir; I saw them in the yard through the windows all around me, and through the door in front; and they would come in with their hats down over their eyes, and they would say, "I want to vote;" and I says to them, "Take off your hat;" and they didn't want to do that, and some of them, when I said "Take off your hat," they walked out of the window and went out; and some of them I knew.

Q. They were not all strangers to you?—A. Not all of them.

Q. Give us the names of as many as you remember that voted twice.—A. I saw Blackwell—

Q. Give us his Christian name.—A. I don't know his Christian name; John Blackwell and another one; they were twins.

Q. Was it John or the other one that repeated?—A. I don't know whether it was John or the other brother. They were so near alike I cannot tell them apart.

Q. Give the name of another one.—A. Joe Wise; lives about Pine House somewhere.

Q. Give us another one.—A. John Swaringen.

Q. Well, give me another one.—A. There was another one named Strom.

Q. What is his given name?—A. I don't know.

Q. Well, mention another.—A. And one named Shepard; I don't know what his surname is; and there were many others.

Q. Now, if I understand you correctly, those men would come in and vote at one time regularly, and as they were entitled to do by law, then they would go out and change their appearance and come back and ask

to vote again in another name?—A. They would come back to vote, and I asked them what their name was, and they—

Q. And you let one hundred and seventy-five of them repeat that way?—A. I could not help myself, the democrats were so threatening.

Q. Did you bring it to the attention of the board of poll-holders?—A. The republican manager, and the democratic manager, they all knew it; and the supervisor, Shepard, knew it.

Q. Did you raise the question?—A. I did.

Q. And they decided that they had a right to vote?—A. No; they didn't.

Q. They just voted without any right?—A. They just voted without any right.

Q. Well, you say the democratic supervisor was winking at it?—

A. The democratic supervisor, he connived at it.

Q. And the democratic poll-holder did likewise?—A. He did likewise.

Q. And the two republican poll-holders, and the republican supervisor, and the republican marshal, they assented to it because they were afraid to do otherwise?—A. I can tell you—I don't know anything about the marshal—I can tell you what the republican supervisor did. He dissented to it; so did the republican managers kick against it, but the democrats prevailed.

Q. How did it happen that you saw this and nobody else saw it?—A. I told you that they all saw it. I know that the republican supervisor saw it, and the other republican manager saw it, and the republican marshal saw it, and everybody else about there saw it.

Q. How long have you been living at Edgefield?—A. For nearly two years.

Q. What is your business?—A. A practitioner at the Edgefield bar.

Q. What office do you hold?—A. None at all.

Q. Have you ever been a candidate for office?—A. Never been a candidate for anything.

Q. You could see out, as you have described to us—you could see the whole crowd, and what was going on outside the door?—A. I could see almost everything that was going on outside; I could see through the door out in front, and through the windows to the right and to the left of me.

Q. Was not the door shut in front of you?—A. No, sir; the men had to come through the door to vote.

Q. Didn't they open the door and let them in ten at a time?—A. Yes, sir. But how long would it be shut? Only when the white men were voting, and they could vote in a very little time, and go right out.

Q. Other witnesses have sworn that the door was opened and shut to let ten in at a time.—A. Yes, sir; ten let in at a time.

Q. Could you see what was going on in front of the door?—A. I could see what was going on through the windows. There was a door in front and windows on each side, and I could look through the windows and see everything that was going on in front of the door—through the window to the right or the left—and I could see what was going on in front of the door. I could see men on the steps in front of the door from the windows.

Q. And you say there was six or seven hundred negroes that did not vote?—A. More than that.

Q. More than that?—A. Between nine and ten hundred didn't vote.

Q. Do you say they couldn't vote?—A. They couldn't vote. I heard them complain about it. They came in from the country, nearly three

or four miles from the village, and I think there were about six or seven hundred of them from out of the village that attempted to vote and didn't succeed. There was a list of them taken.

Q. Who took that list?—A. Some folks about there, just for curiosity.

Q. Did you help?—A. No; I didn't help; I just saw it going on. I took no hand in it.

Q. Who did it?—A. It was going on, I think, at Cain's house.

Mr. MERRIMON. Well, sir, you may stand aside.

The WITNESS. Is there anything more?

By Mr. CAMERON:

Q. If you desire to state anything further, you may do so.—A. After that General Butler had some colored men come into his office there—

Q. Do you know that of your own knowledge?—A. I know that I saw them going there, and men they would go there, and they say—

Q. You need not state what they said.—A. Well, they made affidavits—

Mr. CAMERON. You need not state that.

PARIS SIMKINS—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

PARIS SIMKINS (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Edgefield Court-House.

Q. How long have you resided there?—A. I was born and raised near the Court-House.

Q. What is your age?—A. Twenty-seven years old.

Q. To which political party do you belong?—A. To the republican party, sir.

Q. Did you take any part in the last political canvass in Edgefield County?—A. I did not take much part, sir, simply from the fact—

Q. You can go on and state what came under your own observation during the canvass prior to the day of the election.—A. Well, it was my intention, of course, to take an active part in that campaign, in the canvass, but I knew that it was unsafe for me to do so. In addition to the violent demonstrations on the part of the democrats that I witnessed myself, I was informed by a member of the democratic club that one thousand dollars had been offered to have me killed.

Mr. MERRIMON. Who was he?

By Mr. CAMERON:

Q. State what information you have in regard to that.—A. That is the information, sir; he came to me and informed me that \$1,000 had been offered in the club of the democratic party to have me killed, and mentioned my name, and Lawrence Cain's, and H. N. Bowie. That man was George Weaver.

Q. A white man?—A. No, sir; a colored man, but a member of that democratic club; and, of course, after I received that information, that caused me to use a great deal of diligence, at least of precaution. Believing that the threat would be carried out, of course I did not canvass the county, or didn't make any effort to canvass the county.

Q. I will ask you, had you considered it safe to do so, would you have canvassed the county?—A. I certainly would have done so.

Q. Well, proceed.—A. Well, I made an effort to vote, at least, on the day of election. I made several unsuccessful attempts to vote the republican ticket.

Q. Before coming to the day of the election, I will ask you if you were present on the day when Governor Chamberlain went to Edgefield to make a speech. I think it was the 12th of October.—A. Yes, sir; I was at that meeting.

Q. You may state what came under your own observation at that meeting.—A. Well, early that morning large crowds of republicans were coming into the town, and also large crowds of democrats came in mounted, with side-arms and red shirts on; they were coming in from every direction, yelling. Just before the republican committee of arrangements proceeded to the stand with the governor, these democrats were ahead, they came to the stand first, and as we came to the stand General Butler and General Gary; and several democrats whose names I don't recollect just now, entered the stand, or at least mounted the stand, just about the same time that Governor Chamberlain and Senator Cain, who was the chairman on the part of the republicans, mounted the stand; and my recollection is that General Butler was the first party to address the meeting. Of course I cannot recollect exactly what he said, but any way, he congratulated the people that he had the privilege of meeting so many persons and so on; but it was a republican meeting, and I know the fact that he had not been invited upon the stand.

He got up and said, he and General Gary both, that they intended to be heard at that meeting. General Gary, I recollect particularly, said that if some member of the republican party did not get up and state that the democrats should have an equal division of time, he would not be responsible for the consequences, for what might follow.

Senator Cain, who was the chairman of the republican party, was acting chairman of the meeting, and he made an effort, after General Gary had concluded making these remarks, to call the meeting to order. General Gary stated that they did not want any chairman. Of course he desisted, Cain did; he did not say anything more, and General Gary went on to address the meeting, and said they didn't want any chairman of the meeting.

Governor Chamberlain and Senator Cain and several others had a kind of consultation for a moment, and I think, if my memory serves me correctly, that Governor Chamberlain advised them that it would be best for the republicans to concede to the demands of the democrats, and allow them to have part of the time; and, of course, that concession was made, not willingly, but made because they knew that if it was not made, or at least they thought, that if it was not made, that there would be bloodshed; and I believe myself that if they had not yielded there would have been bloodshed.

Well, Governor Chamberlain got up, after the republicans finally consented, at least after they yielded to the demand, and made a statement, and the statement was that he never did swerve from meeting the democrats; he was willing at any time and at all times to meet them, and, so far as he was concerned, if it had been left to him personally, he would have cheerfully consented to have them speak at the meeting, but, of course, he was only an invited guest there himself, and the matter was entirely for the committee of arrangements to settle; that, of course, he did not feel that he could assume the responsibility of agreeing to any such proposition; but he, having got up and stated that, after he had conferred with others and they had agreed that the democrats should

have half of the time, he made a proposition. His proposition was that there should be four speakers, two from the democratic party and two from the republican party; and that proposition, of course, was acquiesced in by the democrats who were present.

Governor Chamberlain then proceeded to address the meeting. He was the first speaker, of course. He proceeded without being introduced by the chairman or anybody else—just got up and commenced making a speech, and the meeting never was called to order. He spoke probably about—of course he had half an hour—but I don't think he spoke over twenty minutes. I know while he was speaking he was cursed and jeered, and a great many things said to him that of course I cannot remember, such as "Where is McDevitt, the defaulting county treasurer?" and "How about the Blue Ridge scrip?" and "How about the Hamburg massacre?" Of course it was known that he had made statements of that affair. General Butler and all were there, and they watched him to repeat it, I suppose. They asked him about the Hamburg massacre. Of course he proceeded on with his speech, though.

During his speech General Gary, who was sitting in the rear of Governor Chamberlain, said, "By God, you shall not tell them damned lies; you shall tell the truth." Governor Chamberlain turned to him and said, "I will tell the truth as I understand it;" and I recollect that General Butler remonstrated with General Gary several times.

Q. During the progress of that meeting?—A. During the progress of Governor Chamberlain's speech. General Gary appeared to be irritated and excited, and showed a disposition to interfere with Chamberlain while he was speaking; and I recollect hearing General Butler tell Gary to be quiet and allow the man to speak. I am satisfied he sat perfectly quiet, because he said he was to speak himself, and what he had to say he could say it while he was speaking, but General Gary said to Butler, "By God, I propose to do as I please; you can manage your part and I will manage my part."

After Chamberlain spoke I think General Butler followed him; I am quite sure he did. Mackey spoke next, and Gary followed. I didn't stay at the meeting any longer. I got away as soon as I could conveniently go away without being noticed. I would have gone away right at the moment, but I was afraid, actually, to just get up and march away from the meeting, because they were all around, and I was afraid that I would have some violence done me if I attempted to leave the meeting. I was there, and I had to get away as best I could.

Q. About what number of mounted democrats were present at that meeting?—A. At that meeting I suppose, sir, there were about not less than twelve or fifteen hundred; I don't pretend to state actually the number.

Q. Did you attend any other republican meeting during the canvass?—A. One, there at the court-house.

Q. That was, comparatively, a quiet meeting?—A. Yes, sir; it was conducted under different auspices entirely.

Q. That was after the soldiers were there?—A. That was after the soldiers were there, and there were deputy United States marshals on the ground; or, at least, the United States commissioners was there, and it was understood, generally, that order was to be preserved.

Q. I will ask you if the democrats, on that occasion, did not come up with a large number of arms, and surround or nearly surround the stand, and yell?—A. Yes, sir; on that occasion I remember distinctly, that during the progress of the republican meeting General Butler rode up to where Colonel Low was, who was chief marshal of the day, and had

some consultation with him. I saw him confer with Colonel Low. Of course I could not say what passed between them, but in a few minutes he rode—and while this conversation was going on this body of democrats were down the road about two hundred and fifty yards, I suppose, from the republican meeting, in line, waiting until General Butler returned, apparently. General Butler went back to head this column and proceeded on with them, continued the march, and just marched right around the republican stand, and just as soon as they came near the stand they commenced yelling.

Q. Were they armed?—A. O, they were certainly armed, sir; I saw numbers with two pistols on.

Q. Strapped around them?—A. Strapped around them; and several parties I saw with sixteen-shooters and Springfield rifles, or something of that kind, strapped around their shoulders. The went around the stand and yelled, and, of course, went around gradually, and then marched right off; and while they were going around the republicans yelled, too, and some of the democrats in this party appeared to be very much excited about it, and several drew their pistols and were making an effort, it struck me, to shoot some member of the republican party; and I recollect distinctly that General Butler on that occasion galloped up and down the line to keep them quiet. I remember that a man had a pistol out and was pointing directly at a colored man, and General Butler galloped up to him and made him put up his pistol, and he passed on.

In about half an hour after that General Butler came back to the stand—I think he was accompanied by two or three members of his party; they rode up to the stand quietly and staid there for some time listening to the speeches. I think Hayne, the secretary of state, was speaking at the time. Hayne referred to him in some way, or at least thanked him for sparing his life on a former occasion; stated to the meeting that he was spared at the last Edgefield meeting through the instrumentality or efforts of General Butler on that occasion to preserve the peace, and he thanked him right then and there. General Butler addressed the speaker and seemed to regard that as a kind of reflection upon him; didn't seem to take it as the speaker meant it, but as though he regarded it as kind of reflection, and he wished to be heard in reply, of course. Hayne assured him that he meant no reflection upon him at all; that he meant exactly what he said; that he was sincere in the statement. Any way, General Butler urged that he had the right to speak, and he addressed Senator Cain, would he be allowed to speak, and Cain told him that it was a republican meeting, and no joint discussion had been agreed upon, and consequently he was compelled to refuse to grant the request. He staid there a few moments and rode off. There was nothing further at that meeting.

The only other meeting in the county that I attended—and I cannot say exactly that you would consider it a meeting, but any way in our county convention to send delegates to the State convention for the purpose of nominating the governor and State officers, I remember on that occasion several mounted democratic clubs came into town and yelled around town and came up in the court-house where we were holding the convention, and they expected, or at least they seemed to get up a disturbance; they showed signs of violence, and exhibited their pistols, and so on, and finally demanded time to be heard, demanded time to speak in that convention.

I made a speech in the convention, and just at the conclusion of my speech the democrats, who were just outside of the bar, inside of the

hall—they called loudly, "Shepard! Shepard! Shepard!" He got up and stated he did not think at that time that he would speak; he had nothing exactly to say; that he could reply to some point that I had made and successfully, and further on during the day he would speak; which made it, of course, in the afternoon.

Q. Well, did you see any other violent demonstration by the democrats, prior to the day of the election, around the country, or through the town, or anything of that sort?—A. Well, no, sir; I did not go in the country much; those are about the only violent demonstrations that I could tell about, I think.

Q. Now, coming down to the night preceding the election, tell us the condition of your town on that night.—A. Well, the night preceding the election the democrats commenced coming in about sundown, I suppose, and I think they were coming in all night. I could hear them yelling; as they would come in on the different roads they would be yelling, and I know there was quite a large body of them encamped within two hundred yards of my own house, and they were yelling off and on all night.

Q. Now come down to the day of the election and state to us what you observed on that day.—A. Well, on the day of the election, of course, when I went to the polls to box No. 1, that was the court-house box—

Q. What time was that?—A. That was in the morning, I suppose about eleven o'clock. Of course, I could not get anyways near the box; it was surrounded by men on horseback, who were evidently determined to stay there; they were not there for the purpose of voting, because I did not see them dismount; they were just standing there as if they were sentinels, and it was impossible for a man to—

Q. Were their horsemen faced out or in?—A. Well, they were faced in different directions.

Q. Did they stand with the horses' heads toward the court-house, or with the horses' rears toward the court-house?—A. Some of the horses in the front of the court-house were in that direction, and I know well enough when republicans—from twenty to thirty would be coming in to vote, they would all turn in front of them as if they were ready to receive a charge, or expected one.

Q. Well, go on.—A. Of course, knowing my life had been previously threatened, I felt that it was unsafe for me to remain there, or to attempt to vote. I knew that they would have a good opportunity to kill me, being in the crowd there, and of course it would never be known who did it, and I was afraid to attempt to vote at that box on that account; I was afraid to go through the crowd, and if I had made up my mind to go through the crowd I thought that there would certainly be some attack made upon me, and of course I would have resented it and I would have been killed in the disturbance, and others might have been injured too.

So I went away and went to the other box, and I found it impossible to get anywhere near that box at all, because they were all around the box, and there was a great crowd of republicans; the largest body of republicans went to that box, and they were ahead of me; I was behind them all, and I could not get in at all.

While I was going on my way to the school-house box, making an effort to vote, I saw several colored men who had been trying to vote at that box, and they showed me where they had wounds inflicted upon them, and they were bleeding; said that those wounds had been just inflicted upon them at the box. They told me their names, but I don't

recollect them now. Of course, I was going, but I felt it was very unsafe for me to do so.

Q. You did not vote at either of the boxes?—A. I didn't vote at either.

Q. Did you make more than one attempt to vote at box No. 1?—A. No, sir; I didn't make more than one attempt. I probably would have made an attempt to vote there, but I saw that the court-house steps, the place of entrance to that box, was literally jammed with men, and I knew it was about impossible for me to get up there.

Q. White men and democrats?—A. Yes, sir; and again they had a meeting organized, and there was speaking going on on the court-house steps.

Q. A democratic meeting?—A. A democratic meeting; and they were yelling wildly, and I felt the farther I got away from there the better it would be for me.

Q. Do you know David Graham?—A. I know him very well.

Q. How long have you known him?—A. I cannot say exactly, but I have known him personally at least six or seven years.

Q. Do you know what his general reputation for truth is in the community in which he resides; that is, what the majority of the people, white and black, say about him?—A. I have never heard a man say that he would not believe Graham, if Graham told him anything. I think his reputation is as good as any man's in the county, as far as I know.

Q. Do you know William Dunlap?—A. No, sir; I don't know him.

Q. Do you know W. J. Williams?—A. Yes, sir; I know Wiley J. Williams; I presume that is the same man.

Q. That is the man.—A. He was the manager at one of the boxes at Edgefield; I know him very well.

Q. Do you know what his reputation is?—A. Yes, sir; he is a very young man there and he has just become of age. I have heard no one speak of him against him. I regard him as being a perfectly truthful man.

Q. Do you know Judge Bowie?—A. Yes, sir.

Q. Have you known him a number of years?—A. Yes, sir; I have known him ever since he came into the county. I think he came from Georgia into that county.

Q. Do you know what his reputation for truth is in that community?—A. I think I do.

Q. What is it—good or bad?—A. I think it is good; I know it is good as far as my observation goes.

Q. Do you know Jesse Jones?—A. Yes, sir; I have known him from a boy; I think I have known him from a small boy.

Q. Do you know what his reputation for truth in that community is?—A. Yes, sir; I think I do.

Q. What is it?—A. Well, it is good. The only time I ever have heard anything against his reputation for truth is here quite recently, and it appears to grow out of the fact that he made two affidavits.

Mr. CHRISTIANCY. You need not refer to any particular transaction.

By Mr. CAMERON:

Q. Among the people generally, white and black—the majority of them—what is his reputation with them?—A. It is good, sir.

Q. From what you know of his reputation for truth, would you believe him under oath?—A. I certainly would, sir.

Q. Do you know Augustus Harris?—A. Yes, sir. He lives within one hundred and fifty yards of me.

Q. Do you know what his reputation for truth is in your community?
—A. Yes, sir.

Q. What is it—good or bad?—A. It is good, sir. I don't think a man in the county would go to him and tell him to his face that he would tell an untruth. I do not think a man in the county would do it. He is just that kind of a man. He is a straightforward man, so far as I know.

By Mr. MERRIMON:

Q. You have stated the reputation of these men so far as you know it yourself; how do you know it?—A. I think I know their reputation in the community.

Q. Do they have any reputation; are they of sufficient importance for people to talk about them at all?—A. I never heard them talked about very much.

Q. What is your business?—A. My business, sir?

Q. Yes.—A. I have been a representative for four years, a republican representative for the county four years, and of course—

Q. You are claiming to represent the county now in what is called the Mackey house?—A. No, sir; I don't represent the county; I am not claiming any seat.

Q. You did not run at the late election?—A. I ran, but of course the house has passed a resolution that there was so much fraud in the election in that county that it vitiated the election. I do not claim a seat in the house, not because I believe that the democrats succeeded fairly in that county, but because I don't believe it would lead to anything but refusal, to make such a claim.

By Mr. CAMERON:

Q. If there is anything else, Mr. Simkins, that you desire to state, you may do so.—A. No, sir; I have no more.

Q. I will ask you if you know Capt. O. N. Butler, of Augusta?—A. Yes, sir; I know him; he is brother of M. C. Butler.

ELISHA B. HARRIS—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

ELISHA B. HARRIS (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Edgefield Court-House.

A. How long have you resided there?—A. I have lived there since 1863.

Q. What is your age?—A. I was born in 1846.

Q. Where were you on the day of the last election?—A. I was at Edgefield Court-House, sir, in the village.

Q. What office, if any, did you hold at that time?—A. I was county commissioner at that time, and member of the town council, and chairman of the board of county commissioners for the last two years.

Q. You may state now anything that came under your observation on the day of the election and following the election.—A. My residence is about midway between the two polls there in the village, and I attempted to go several times—to go to one of those polls to vote, and seeing the armed crowd of white men riding up and down the streets; and I saw a good many colored men who had been to each box and tried

to vote, and some of them came and showed me where they had been beaten over the head with pistols and sticks; and my brother was one that went up to one of the polls, poll No. 2, and he attempted to try to get to the polls to vote, and could not do it, and he came back and told me about it, and I thought then there were so many people from the country I would not attempt to try to vote any more until the evening.

Well, I went out in the evening to attempt, to try to vote. Of course they crowded back the colored men so they would not let them vote only at one box—at box No. 2, at the school-house. Most of the colored men that voted on that day voted there; they were not allowed to go to the court-house to vote.

Q. Did you go and try to vote at the court-house?—A. I started in the evening to go to the court-house to try to vote, and when I started to go to the court-house there was a very large crowd at box No. 2—a crowd of colored men, and they came along from there by my house going up to the court-house to try to vote. I saw a crowd of white men putting spurs to their horses, and they run them to get them to the court-house before these colored men, and when they got there they were there surrounding the court-house steps, and they would not let the colored men get to the box. I heard some one say that this box was for the white men, “and you damned negroes cannot vote here at the court-house.” Of course it was late in the afternoon then, and they knew very well that they was there because they could not get a chance to vote at the school-house, and after they could not get to vote at the court-house they would not have a chance to vote at all, and there was betwixt seven and eight hundred there who, I suppose, could not get a chance to vote. That was very late in the evening, and they could not get to vote at any other place, only a very few of them.

Q. When you approached the court-house, state whether or not it was surrounded by white men.—A. When I attempted to go to the court-house the steps was surrounded, and the steps was crowded with white men, and I could not get up in there. It was very late in the evening when those men came there to the court-house from box No. 2.

Q. You went to the court-house, did you, at that time?—A. Yes, sir; I went up to the court-house. I went within about one hundred yards of the court house, and I saw there was no chance of getting through, from the crowd I saw around the steps; and then it seemed to me that some of the white men were up on the steps speaking.

Q. Could you hear what they said?—A. No, sir. I could not tell you anything that they said. I could hear them speaking.

Q. What did you hear any of the white men say?—A. The only thing that I heard any one say, and I don't know who it was said that, was, “You damned niggers, you can't vote here, this box is for the white men.” That was the amount of the words that I heard, but I don't know who it was that I heard say it, but I heard them say that. I knew very well that I could not vote there.

Q. What was the condition of the town the night before the day of the election as to being orderly or disorderly?—A. It was very disorderly, in my opinion, sir. I was right there; and about four o'clock they commenced coming in in squads—red-shirts—and yelling and cursing, and they kept up a continual firing at the two polling precincts during the whole night, and hollering and yelling so that we could not sleep any that night, being right there in the town, for the hollering, yelling, and firing. Every once in a while a squad would come up, and it seems to me about every ten or fifteen minutes they would fire off

their pistols or guns, or something of that sort, and then they would holler and yell.

Q. How was it on the day of the election?—A. On the day of the election they kept up that same yelling and riding from box to box with sixteen-shooters, and some of them with their pistols buckled around them, and some had guns in their hands, and some had their guns strapped around their shoulders.

Q. How was it on the night after the election?—A. Well, sir, it was about the same after the election. They kept up the yelling and firing off their pistols. The night after the election they came to my house, and the probate judge lived opposite to me, and I saw them rock his house the night after the election.

Q. White men?—A. White men. I saw a crowd of them coming from box No. 2, and I saw them rock the judge's house.

Q. What is the name of the judge?—A. Harrison M. Bowie, probate judge.

Q. It has been stated that the votes were canvassed on Friday after the election. Can you state whether or not there were armed men in town on Friday, the day when the votes were canvassed?—A. Yes, sir, there was armed men in town on the day the votes was canvassed.

Q. State about the number, and how they acted.—A. Well, I don't know positively about the number. I know there was armed men in town on that day, and it seemed to me a part of them would go out of town once in a while and others would come in, and in fact they did do it. There was a good crowd staid there pretty well all the time. I don't know exactly the number that was there.

By Mr. MERRIMON:

Q. Well, you can give us some idea, now.—A. Of course; I think there was at least one hundred, it seemed to me, for two or three days there after the election.

Q. Red-shirts?—A. Yes, sir.

Q. Riding around there, drinking, drunk, and frolicking, and shooting?—A. Yes, sir.

Q. On Friday after the election?—A. Yes, sir.

Q. Sure of that?—A. Yes, sir; they were there, at least, about three days.

Q. Now, reflect and see if you are not mistaken about there being anybody there on Friday after the election.—A. I know they was there after the election; they was there three days, I know.

Q. Are you sure of that?—A. Yes, sir.

Q. What makes you sure of it?—A. Because I know they was there three days after the election, that crowd; or, that is, a crowd staid there.

Q. Who were they?—A. I don't know, sir.

Q. You did not know them?—A. No, sir.

Q. Well, you know there was a crowd there for three days?—A. Yes, sir.

Q. Don't you think they staid there four days?—A. Probably they might have staid there four days. I know they was there three days.

Q. You said whitemen came in on the night before the election. You have not told whether or not any of the darkies came in on the night before the election; how about that?—A. If there were any large lot of colored men came in, I don't remember. I remember seeing one crowd—I think I saw a crowd; I guess mout have been fifty men, or may be more; colored men came in the night before the election.

Q. Do you not know that there were several hundred colored men

came into Edgefield Court-House the night before the election?—A. Not colored men.

Q. Didn't you see them have a big row at Cain's house, drinking and frolicking?—A. I was not at Cain's house that night.

Q. You did not vote?—A. No, sir; I didn't vote. My brother came out that morning and went to vote. I believe that the first colored man that voted there—it was at least four o'clock before any of them voted, so I heard, and they voted at box No. 2, and my brother, he was one of the first men that voted. He carried a crowd of colored men and voted them after the soldiers went to that box.

Q. You were not there and you do not know anything about that of your own knowledge?—A. No, sir; I was not there.

Q. What is your business?—A. I am interested in a farm there with my father.

Q. What office do you hold?—A. I am member of the board of county commissioners.

Q. How long have you been so?—A. Two years.

Q. What office did you hold before that?—A. I was a member of the town council.

Q. How long?—A. I have been elected there—it is my third term there now, sir.

Q. You hold two offices at once, then?—A. Yes, sir.

Q. Do you hold any more offices than those?—A. No, sir.

Q. Only two?—A. No, sir.

Q. I suppose you take a great deal of interest in politics?—A. No, sir; I don't profess to be a politicianer or take a great interest in it, or anything of that sort.

By Mr. CAMERON:

Q. Do you know Jesse Jones?—A. Yes, sir.

Q. How long have you known him?—A. I have known Jesse Jones since I have been at Edgefield Court-House; since 1863.

Q. Do you know what his reputation is in your town, among your people?—A. Yes, sir; I have never heard anything disrespectful of Jesse Jones.

Q. What is it—good or bad?—A. He has a good reputation, sir, as far as I know on. I suppose the democrats don't like him very well there.

Q. He is an active republican politician, is he?—A. I don't know.

Q. Is he an active republican?—A. He is an active republican and stands up to his party, and I suppose that is about what the democrats have got against him; that's why they were talking about him.

Q. Do you know Judge Bowie?—A. Yes, sir.

Q. How long have you known him?—A. I have known Judge Bowie about two years.

Q. Do you know what his reputation is in the community?—A. It is good, sir, as far as I know. I know the democrats don't like him on account of his politics.

Q. Do you know W. J. Williams?—A. Yes, sir.

Q. How long have you known him?—A. I have known him for at least ten years.

Q. What is his reputation for truth in the community?—A. His reputation is good as far as I know.

Q. Have you heard anything against him?—A. No; I never heard any one say anything against him.

Q. Do you know David Graham?—A. Yes, sir.

Q. Do you know what his reputation is in the community there?—A.

It is good as far as I know; never heard anything against Graham more than the democrats don't like him on account of his politics.

Q. Do you know William Dunlap?—A. No, sir.

By Mr. MERRIMON:

Q. Don't you know they call Jesse Jones a great rascal over there?—A. The democrats do, but I don't think they call him a rascal for anything only his politics.

Q. Don't you know that he is charged with perjury?—A. No, sir; I don't.

Q. Don't you know that he was charged with perjury in open court by Judge Carpenter?—A. No, sir; I don't.

Q. You never heard of it?—A. Don't know as I ever did, sir.

Q. Just think about it a minute.—A. I think, probably, I have heard of something—may be about Jesse Jones—something about two affidavits, or something of that sort, between him and General Butler and Abney, or something of that sort. I never heard the truthfulness of it.

Q. I don't care anything about the truthfulness of it; I only just want to see if you had not heard of it.—A. Probably I might have heard of it.

Q. You and Jesse are great cronies?—A. No, sir; we are not particularly cronies.

Q. What do the white people say of him there?—A. I have heard the white people say that the most that they had got against him is on account of his politics.

Q. Then in reference to what you have said of these men, you gave your opinion of them?—A. Yes, sir; my own opinion—yes; that is my own opinion.

Q. You have not heard anything about them at all, have you?—A. No, sir; not anything of their character being bad, or reputation, or anything of the kind.

Q. You don't know what reputation is, do you?—A. I think I do, sir; I think I do know whether a man's reputation is good or bad.

Q. Well, what is it?—A. I regard Jesse Jones and Graham—I have never heard any one say that they ever done anything that was mean, or anything of that sort.

Q. You never heard anything of that sort at all?—A. No, sir.

By Mr. CAMERON:

Q. You say that you have given your own opinion of their reputation; I will ask you if that opinion is formed from what is said of them in the community?—A. Yes, sir

HAMPTON FLETCHER—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

HAMPTON FLETCHER (colored) sworn and examined.

By Mr. MERRIMON:

Question. Where do you live?—Answer. Laurens Township.

Q. What is your age?—A. About sixty-three.

Q. What is your business?—A. Blacksmithing, sir; regularly.

Q. Did you vote at the late election?—A. Yes, sir; I did.

Q. What ticket did you vote?—A. I voted the democratic ticket.

Q. How did you come to vote the democratic ticket; did any white men compel you to do it against your will?—A. No, sir; they did not.

Q. Did you belong to a democratic club?—A. I joined it—yes, sir.

Q. You joined it?—A. Yes, sir; I had always been voting the radical ticket before.

Q. You had always been a radical before this time?—A. Yes, sir.

Q. Did you make any speeches during the last canvass?—A. I did, sir.

Q. From your county?—A. Yes, sir; I went out through the county; I suppose I went to about some seven or eight mass-meetings.

Q. Did many colored men in your county vote the democratic ticket?—A. Yes, sir; a lot of them, a great many voluntarily, sir.

Q. Where were you on the day of the election?—A. I was at Laurens Village, sir.

Q. Laurens Court-House?—A. Yes, sir.

Q. Did you observe any intimidation on the part of colored democrats toward colored republicans?—A. I did not.

Q. Did you see any white men do violence to them?—A. I did not; I was there from seven o'clock until after four in the evening.

Q. You were about the voting-place all the time?—A. Yes, sir.

Q. Do you know whether any colored democrats were intimidated by the republicans?—A. Well, sir, there wasn't any that I know of, more than this way: the persuasion, you know, of both parties in trying to get all the votes that they could get on each side.

Q. Each trying to get all he could?—A. Yes, sir; no insult, no way, at Laurens Village; it went off very quietly.

Q. Was a large vote polled?—A. Yes, sir; a very large vote was got in the four boxes opened there.

Q. Did you observe any intimidation in your travels through the country?—A. I did not, where I went out in the campaign at all; no threatening.

Q. Both parties were active?—A. Both parties were active; it appeared like the black people took a great deal of interest, and a great many of them have come over to the democratic club, to join and vote with them, and a good many of them was very anxious to join the club.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. When did you become a democrat?—A. Well, about the first of last summer it was that I taken that opinion.

Q. I believe you stated that you are a blacksmith?—A. Yes, sir.

Q. Where do you carry on your business?—A. About three miles above Laurens Court House, on the Greenville road.

Q. How long have you been doing business there?—A. Ever since emancipation; it has been about nine years I have been settled there, sir. I moved from Laurens Village there, sir; and have been ever since.

Q. Do you get the most of your work from the democrats or from the republicans?—A. Well, sir, I get it from both.

Q. Which do you get the most from?—A. I can't answer about that; it is pretty much divided. There is a good many democrats there and a good many republicans there, and I work for both parties; it is pretty well divided. I couldn't tell you hardly how the balance is, but it is pretty well divided.

Q. Do the republicans go right on and give you work since the election?—A. Yes, sir, they do; perfectly free; no objection at all.

Q. They take their work to you just as they did when you were a republican?—A. Regularly, sir; just all I can do; there is nothing said about that; they just bring me work—both parties.

Q. Did you hear the democrats say, during the canvass, to the republicans that if they voted the republican or radical ticket they would not have any homes?—A. Well, sir, in this way: I will tell you, sir, in the campaign what the speeches was to the radical men, that we went out to try to influence them, to get them to go with us; we were all together and lived together, and that they should all vote together; but they said if this election went against them that they would not be able to sustain them like they had been; but while they would like to keep them, at the same time that they would have to turn some of them off, even one-third of the labor; that they would have to make other arrangements; that they were going to hire democrats, and they were going to keep radicals, but that they were going to turn off some of them. That was about the most that was said.

Q. Did they not give the colored people to understand that if they had to turn off any they would keep those that voted the democratic ticket and turn off the leading radicals?—A. O, yes, sir, if they had to turn off any; but they said that they would keep an equal chance of both; but them that went with them that they would try to take care of them in particular.

Q. Did you see a good many companies of white men in the road there during the campaign?—A. Yes, sir; a good many of them; and a good many black ones, too; but you didn't ask me about that.

Q. Did you see any white men armed with pistols or guns?—A. Well, now, both blacks and whites were pretty much alike about that; they have their little pistols in their pockets and around their waists, black and white both, but neither of them never drew a pistol.

Q. Where did you make speeches?—A. At Cross Hill, sir.

Q. When did you make a speech at Cross Hill?—A. I don't know, sir, what time; I could not tell you about the time, sir.

Q. Were there a good many colored men out to the meetings?—A. Yes, sir, there was a great many, and a great many took sides with me.

Q. State what kind of a speech you made to them.—A. What you may call a good speech. I thought it was better for us to try and do the best we could and to vote together. I didn't want none of my color to vote against me. Really, I thought myself, sir, that we were doing right; that we were trying to have a better government, and have no disturbances, like it had been heretofore; because I know, in a great many places, that the colored people really got but very little protection. I just came to the conclusion—we good old citizens came to the conclusion—to change our programme and to go with the white people of the country, and thought it better for both white and black; I thought so, and that was the very thing that I worked for. A great many of them sympathized with me, and said, "Fletcher, you are right; I believe that this is the course for us to pursue; I think it will suit us to do it."

Q. You said awhile ago that in many places the colored men had no protection. What protection did they need?—A. Even now I am speaking in this way; where they were many times engaged to work anywhere they suffered. Many times there was a little neglect, maybe, and I didn't consider that they had as much protection as they should have from their employers as they would if the matter was more agree-

able to their employers, and as they would if they were going right along with them without any difference.

Q. You thought that their employers would treat them better if they all voted together?—A. I thought so, sir, if they would do that and all go together in just one body, and I thought that we would all be better off in the country and all be more agreeable.

Q. Did it ever occur to you that the white people ought to go over to the colored people?—A. Some did.

Q. Not many?—A. There was right smart of them, sir, that had been voting with the colored people, voting with us, that went over and voted on the other side, and I thought that the white people had just as much right to do that as we had.

Q. Do you know anything about the killing of Cain Garlington?—A. I heard something about that.

Q. Do you know anything about it within your own knowledge?—A. I do not.

Q. Did the white people tell you anything about it?—A. I have heard black and white people both tell me.

Q. You do not know anything about that personally?—A. No, sir; I don't know particularly about it personally, only what I have heard.

By Mr. MERRIMON:

Q. I understood you to say that the white people said that they had been very much impoverished, and that they would not be able to employ the next year as many men as they had in the past?—A. Yes, sir; that they would not be able to employ as many.

Q. And if they could not employ all they would stand by their friends?—A. That they could not employ all, but they must go and do the best that they could, but they were obliged to make their farms smaller and cut off their farms and run less labor than they had been doing.

Q. And in that case they were going to stand by their friends first?—A. Yes, sir.

STEPHEN NESBITT—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

STEPHEN NESBITT (colored) sworn and examined.

By Mr. MERRIMON:

Question. Where do you live?—Answer. I live in Laurens County.

Q. At what place?—A. I live near Clinton.

Q. How old are you?—A. Twenty-three years old.

Q. What is your business?—A. Daily occupation, farming.

Q. Where were you at the last election?—A. In Clinton.

Q. Did you vote that day?—A. Yes, sir.

Q. What ticket did you vote?—A. The democratic ticket.

Q. Did anybody intimidate you or others to get you to vote it?—A. No, sir.

Q. Why did you vote it?—A. I voted it because I thought it was an advantage to me to live in that country.

Q. Did you belong to a democratic club?—A. Yes, sir.

Q. State whether at any time any republican colored man insulted you or threatened you because of your politics, and if you say yes, tell us all about anything of that sort.—A. Yes, sir; I was out to church one Sunday to meeting, preaching, and they went to abusing me.

Q. What did they do to you?—A. He called me a damned son of a bitch.

Q. Who was it said that?—A. Sambo Burt.

Q. Was there more than one of them?—A. Only one at that place.

Q. Did they insult you anywhere else?—A. No, sir.

Q. What time did you go to the election in the morning?—A. I got there about the break of day.

Q. Did you vote early?—A. Yes, sir; I voted very early.

Q. Do you know whether many of the colored men voted the democratic ticket there?—A. A good deal of them, sir. There was about four or five hundred, I think.

Q. Voted the democratic ticket?—A. Yes, sir.

Q. Did you see any of the white men about there intimidate the colored people?—A. None at all.

Q. Did they turn you out of the church?—A. No, sir; they threatened to do it, but they haven't done it yet as I know of. They haven't wrote me any letter whether they have or not.

Q. They threatened to turn you out?—A. Yes, sir.

Q. For what?—A. For being a democrat.

Q. Did you observe any republican prevented from voting at the Clinton box?—A. No, sir; none at all.

Q. Did you see any armed bodies of men there, white or black?—A. No, sir; none at all, either side.

CROSS-EXAMINATION.

By Mr. CAMERON:

Q. When did you become a democrat?—A. At this last election.

Q. You were a republican before that, were you?—A. Yes, sir.

Q. Why did you turn?—A. Well, I thought it was best, according to my thinking.

Q. Why?—A. Well, the republicans had never done anything that I thought was a benefit to me; and whenever I wanted anything I had to go to the democrats for it; and I thought it was right and just for me to vote with the men that employed me and give me my work whenever I call for it, and pay for it.

Q. On whose land do you live?—A. I live on Dr. Duckett's now.

Q. How long have you lived on his land?—A. I have lived there since Christmas.

Q. Where did you live before that?—A. At Mr. Ren Anderson's, just about two miles below him.

Q. Is Dr. Duckett a democrat?—A. Yes, sir.

Q. Is Anderson a democrat, too?—A. Yes, sir.

Q. Nearly all the landholders in that part of the country are democrats?—A. Yes, sir.

Q. And you get your support from them?—A. Yes, sir.

Q. For that reason you thought you ought to vote for them?—A. Yes, sir.

Q. Did this Burt strike you or hurt you in any way?—A. No, sir; he didn't strike me at all.

Q. Did he frighten you?—A. O, no, sir; I wasn't afraid.

Q. How many people were around at the time?—A. I could not exactly say; there were about a hundred at the church, right at the spot.

Q. Did any of the other colored people say anything to you?—A. Only they just wanted to scorn me, and sidled away sort of, like I stunk.

Q. They wanted to keep away from you?—A. They pretended they wanted to keep away from me.

Q. Of what church are you a member?—A. Antioch Church.

Q. What is it; Methodist or Baptist?—A. Methodist.

Q. When have you been at church last?—A. About a month ago.

Q. Have you been there since the election?—A. O, yes, sir.

Q. Did any of the colored brethren speak to you when you went there?—A. Yes, sir; they have begun to speak to me.

Q. They do not think you stink now as bad as you did?—A. No, sir.

Q. What time did you go to the voting-place at Clinton at the last election?—A. It was about daybreak when I got there; I started out a little before that.

Q. Did any other colored man go with you?—A. No, sir; I went by myself.

Q. What time of the day did you vote?—A. I reckon it was about a half-hour—I can't say sure, but I reckon it was about a half-hour before day. The sun was not up.

Q. What were you doing there all day?—A. Just standing around in the yard.

Q. Did you distribute tickets to your colored friends?—A. Only five.

Q. How near to the voting-box did you stand?—A. Well, I stood, I reckon, about twenty yards, pretty generally, all the time.

Q. You walked around, though, a good deal?—A. No, sir; I didn't walk around much at all.

Q. Staid right in one place all day?—A. Pretty generally staid—

Q. How many votes were cast at that box?—A. Well, I will say four or five hundred.

Q. In all?—A. Yes, sir.

Q. How many white men voted there?—A. Well, I don't know. I can't—

Q. You can tell that just as well as you can the other.—A. I can't tell anything about that—how many white men, because I—

Q. Did any white men vote there?—A. O, yes; a vast quantity of them voted.

Q. A vast quantity voted?—A. Yes, sir.

Q. Did as many white men vote there as colored men?—A. Yes, sir; I guess they did.

JOHN B. HUBBARD—RICHLAND COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

JOHN B. HUBBARD sworn and examined.

By Mr. CAMERON :

Question. Where do you reside?—Answer. In Columbia, S. C.

Q. How long have you resided there?—A. I have lived here since 1868, sir; I lived in Charleston two years. I came down from the War Department with General Sickles when he was military commander of the second district. I was with him and General Canby, and then I came up here with Governor Scott. I have been here since the State government has been instituted.

Q. What positions, if any, have you held in this State?—A. I was at one time chief constable of the State, and afterward United States marshal, and then State detective; now a special deputy in tracing the revenue for Mr. Carpenter.

Q. Did you take any part in the recent political canvass in this State, or did you travel through the State during the canvass? If you did, you can state what came under your observation.—A. I went to Hamburg to see about that Hamburg riot, and then I went to Ellenton to see about that riot, and then I went to Edgefield and Abbeville and Laurens.

Q. Well, you can state what came under your observation in any of those counties.—A. There are some things that I cannot tell you; official things that I could not divulge. I saw the rifle-clubs or armed men all over the State.

Q. Well, tell us where you saw them and how many there were and how they were armed.—A. Well, sir, I have seen a good many of them. The first I ever saw was in Hamburg.

Q. When did you see them in Hamburg?—A. Well, sir, it was right after the riot there.

Q. How many were there according to your best judgment?—A. I saw five or six of them. Scouts, I took them for.

Q. Well, go on and tell us about them if you have anything to tell.—A. I never saw any more until they commenced the campaign, and then in all the different counties I saw them—the red-shirt men, the blue-shirt men, or the gray-shirt men; there was different—I seen in Laurens County perhaps two thousand five hundred men—well, say eight hundred; I don't know how many—all mounted.

Q. Upon what occasions did you see them?

The WITNESS. In Laurens County?

Mr. CAMERON. Yes.

A. In Laurens I saw them on the day of the speaking before the election; it was about two weeks—just two weeks before the election. I suppose there was eight hundred mounted men there.

By Mr. CHRISTIANCY:

Q. Were they armed with pistols or anything of that kind?—A. I do not think that they had any that day; no, sir. Everything passed off very quietly that day. I went with General Dennis and Mr. Kirkland, both internal-revenue collectors, who came there to make speeches, and introduced them to Colonel Bell, of Laurens, and told him that they were there to speak, and Colonel Bell says—I says, "We don't want no difficulty." He says, "We will not have any unless it is amongst a class of men that we can't control, but we will control them; if there is a drunken man that kicks up any fuss we will take care of that;" which they did. There was one or two men that started to make trouble, and they took care of them on that day. They belonged to the red-shirts or blue-shirts or gray-shirts or yellow-shirts. I think there was four different kind.

Q. What else did you see on your travels?

The WITNESS. Do you want to know about the day of the election?

Mr. CHRISTIANCY. Yes, sir.

A. On the day of the election I was at the court-house. Do you want to know why I went there?

Mr. CHRISTIANCY. Yes, sir.

The WITNESS. I went there to get the \$3,000 reward offered by the governor for the arrest and conviction of the murderer of Crews, who was murdered in Laurens County. I went there on that business to find out about it. On the day of the election there was four polling-precincts in the court-house. At about eight or nine o'clock they commenced to arrest parties who had voted twice.

Q. Who did?—A. Well, it was done by the whites.

Q. Democrats?—A. Well, it was done by the democracy; they commenced to arrest colored men for voting twice, and numbers of them went away, but as soon as I found it out I went to Andy Sampson, who was a magistrate, and I had several of them, or one or two, or several—more than one, at any rate—released, and the balance were released the next day. Great numbers of them went away on account of their being arrested.

By Mr. CAMERON:

Q. Great numbers of the colored republicans went away?—A. Yes, sir; colored republicans.

Q. Well, what else occurred there on the day of the election?—A. I don't know of anything. The only thing I did see that was wrong—if I had been the United States marshal I would perhaps have stopped it—men along in the line said to them that they could not live with them next year unless they voted their way.

Q. White men told colored men that, did they?—A. Yes, sir; the red-shirt men,

By Mr. MERRIMON:

Q. Did you hear that?—A. Yes, sir.

By Mr. CAMERON:

Q. You may state whether that was a common thing.—A. O, yes, sir; it was a common thing.

Q. What, if anything, do you know of the organization of the so-called rifle-clubs, and how many of them were there in the State?—A. In every county in the State and in every township in the State there were rifle-clubs, armed and equipped, and under thorough military organization.

Q. Were you present at any of the democratic parades in this State?—A. In this State—yes, sir.

Q. You may state whether or not they appeared to be under good military discipline.—A. They were under perfect discipline. One man, Wade Hampton or Colonel Haskell, could control them all by putting up his finger, and in the counties it was the same way—the leader or man who controlled them could put his finger up and they would stop anything. They were thoroughly under discipline.

Q. Well, if there is anything else that you think of, Mr. Hubbard, please state it.—A. I don't know anything, only that what I told you about the people being turned away from the polls.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. You have told the committee that there were rifle-clubs in every precinct in the State; what do you mean by a rifle-club, a democratic club?—A. I mean the clubs that we have here; the red-shirts and gray-shirts and yellow-shirts.

Q. You don't mean regularly organized and drilled men, armed with rifles?—A. They were rifle-clubs—cavalry-men; they were all cavalry-men.

Q. Do you mean to say that they were mustered, armed with rifles, and marched about?—A. No, sir; they had the improved pistols; the "fly-backs."

Q. Were you present at any of their organizations?—A. No, sir.

Q. How do you get your information?—A. From my own observation.

Q. You just saw what other people in the State have seen?—A. Yes, sir.

Q. You call all the companies that wore red shirts, rifle-clubs?—A. That is what they said, themselves.

Q. I am asking you what you said.—A. I called them what they told me; we had them here.

Q. I ask you whether you use the words “rifle” club, and “democratic” club as synonymous terms?—A. That is what they said, the democratic clubs.

Q. Who sent you around to these various places where you went as a detective?—A. Major Corbin.

Q. You were in the service of the United States?—A. Yes, sir.

Q. You went down to Ellenton and Hamburg and Abbeville— A. And to Edgefield and Aiken and Laurens.

Q. Whether those men that were arrested at Laurens on the day of the election for voting twice were guilty, you do not know?—A. All I know is that they were discharged without any bail.

Q. How many were arrested?—A. Five or six.

Q. Were there any troops there?—A. Yes, sir.

Q. Were they called out?—A. No, sir.

Q. Was that election a very quiet one?—A. Quiet as New York would be, or any other place.

Q. Was it not as quiet as elections generally in the course of your observation, either North or South?—A. It was, because it was one-sided.

Q. Did not the colored people get a majority there?—A. Not in Laurens.

Q. Not in Laurens Township?—A. The white people voted at one precinct and the colored people voted at another place; then they had another precinct over there.

Q. It was not all on one side because the republicans got a majority at that precinct.—A. I don't know what they got at all. I don't know anything about how the count was made.

W. J. P. OWENS—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

W. J. P. OWENS sworn and examined.

By Mr. CAMERON :

Question. Where do you reside?—Answer. At Laurens.

Q. At the court-house?—A. No, sir.

Q. Where do you reside in the county?—A. Seven miles from the court-house.

Q. How long have you resided in the county?—A. All my life, sir.

Q. To which political party do you belong?—A. The republican.

Q. How long have you been a member of that party?—A. Since reconstruction.

Q. I will ask you if you took any part in the late political campaign in this State, and if you did, you can go on and state in your own way any facts that came under your observation; you can give them in narrative, commencing at the beginning and going through.—A. I was

county chairman, and I was commissioner of election, too. I only attended one political meeting during the campaign, and that was at the court-house. The republicans only had two political meetings in the county. They were both at the court-house; I only attended one. My reason for not canvassing the county was from the fact that I didn't regard it as safe for me to do so.

Q. What reasons did you have for not believing it to be safe?—A. I cannot state if you only allow me to state what I saw.

Q. Well, you had information?—A. I had information from various sources.

Q. Which induced you to come to that conclusion?—A. Yes, sir.

Q. Well, if any such information came from democratic sources, under the rule adopted by this committee, you can state such information.—

A. I cannot say that any democrat told me that it was unsafe. I got it from a republican stand-point.

Q. Very well; go on with your answer.—A. On the day of election I was not at the poll; I was not out from the camp—the garrison.

Q. Why not?—A. I was advised by different parties not to go.

Q. Well, go on and make your statement.—A. I was advised not to go, and even now there is a strong feeling against me in the county.

By Mr. CHRISTIANCY :

Q. Among whom?—A. Democrats. I voted after five o'clock in the afternoon. I was advised by different parties not to go out at all; not to vote. I think the garrison or Army officers advised me not to go; but I did go and vote.

Q. Did you go alone when you went to vote?—A. No, sir.

Q. Who went with you when you voted?—A. The deputy marshal.

Q. Give his name.—A. J. B. Hubbard. He is not a deputy marshal, but he is one that went. F. H. Eaton, United States commissioner. I am not positive what other parties went with me; there were three or four.

By Mr. CAMERON :

Q. If you have anything further to state, state it.—A. Nothing further, of my own personal knowledge.

Q. Why did you not act as one of the commissioners of the county?—A. On the day after the election one of the democratic commissioners advised me not to go out on the square; he came to see me.

Q. What was his name?—A. W. L. Boyd. That day, the day before the election, he told me he understood very well the situation there, and we agreed not to do anything the next day after the election; not to make any count. The boxes were received by himself and the other commissioner.

Q. He advised you not to go down to the square?—A. He said he thought it was a very good idea for me not to go out the day after the election; there was a great deal of excitement. We had no boxes in any way—didn't get them.

Q. Did you sign the returns?—A. I did not, sir; I left the next morning for Columbia, under guard of deputy marshals and United States soldiers.

Q. For what reason were you under guard?—A. Well, sir, I left there because I was confident it was not very healthy for me to stay.

By Mr. CHRISTIANCY :

Q. By your saying under guard you don't mean that you had been arrested?—A. No, sir; I had a guard with me.

Q. To protect you?—A. Yes, sir.

CROSS-EXAMINATION.

By Mr. MERRIMON :

Q. Whether you would have been maltreated or not you do not know, for you did not try?—A. I didn't propose to try, sir.

Q. You were a candidate for office in the last election?—A. Yes, sir.

Q. How could you be a commissioner if you were a candidate?—A. I had been a candidate before, and a commissioner too.

Q. Does not the law prohibit that?—A. No, sir.

Q. No law in your State that prohibits that?—A. No, sir.

Q. Who were the commissioners besides yourself?—A. W. L. Boyd and W. H. Rutherford.

Q. You did not join in the count at all?—A. No, sir.

Q. The whole thing is, then, that you got alarmed without seeing whether you would be hurt or not; is that not a fact, sir? Did you go out to test the people?—A. No, sir; I was satisfied that it was not safe for me to go out. Others said the same thing, too. I was not the only one of the same opinion.

Q. A man might have a false opinion, though, about anything of that sort, might he not? Were there not a great many other republicans in your county?—A. No, sir; not situated as I was.

Q. Why were you specially odious to the people?—A. I am the principal republican in the county, and control the legislative vote since Mr. Crews was killed.

By Mr. CAMERON :

Q. When was Mr. Crews killed?—A. I am not positive as to the date. It was either the 7th or 8th of September a year ago.

Q. Where was he killed?—A. Three miles this side of the courthouse.

Q. Do you know whether anybody has ever been prosecuted for killing him?—A. Yes, sir; but no one convicted.

JAMES KENNEDY—RICHLAND COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

JAMES KENNEDY recalled and further examined.

By Mr. MERRIMON :

Question. In examining the papers which you have laid before the committee, I find what purports to be a copy of an oath taken by one of the officers of what is commonly called Doc. Adams's company.—Answer. Yes, sir.

Q. It purports to have been taken in April, on the same day that the muster-roll, which you present, purports to have been filled up?—A. Yes, sir.

Q. State to the committee when that oath, which was so taken, came into your office.—A. I cannot tell, possibly.

By Mr. CHRISTIANCY :

Q. Look at the papers, and see if there is anything to show.—A. There is nothing in the papers to show. I presume that it came there at the same time that the company-roll did.

By Mr. MERRIMON :

Q. Do these embrace all the papers in your office?—A. These embrace all the papers in my office pertaining to the organization of the company, or to the issue of arms or ammunition to the company.

Q. Are you sure that no ammunition was issued to Doc. Adams in the spring of 1876?—A. I am sure of it, sir.

Q. My recollection is that he swore that he had got about a hundred and twenty rounds for target-practice, in the spring of 1876.—A. If he did his receipt would have been taken for the ammunition, and it would have been on file and would have been among the other receipts.

Q. I see you furnished no certified copies of any commissions for any of the officers of that company; there were none in your office?—A. I could furnish certified copies of the commissions, or rather of the dates of issuing the commissions to the first and second lieutenants of the old company—Company A, of the ninth regiment.

Q. You have furnished the date of that, but there have been no commissions issued to the officers of that company since it has been re-organized?—A. No, sir.

Q. Do the certified copies of papers in reference to the issue of ammunition and requisitions for ammunition embrace all the data in your office in reference to that subject?—A. All the data, sir.

Q. There were no other guns nor any other ammunition issued from the office than is made manifest in the copies of papers that you placed before the committee?—A. No, sir.

Q. There were no other guns nor ammunition issued at any time since re-organization?—A. No, sir.

Q. I saw in one or two places that requisitions had been filed without date, and the receipts for them are without date. How do you explain that?—A. I took notice that some of the requisitions were not dated, and the only way I can account for that is that they were overlooked; but I don't think you will find that there are any of the receipts without date. I remember that in a couple of cases of requisitions for ordnance there was no date on them, but I don't think there is an instance of where there were receipts taken without dates. I don't remember an instance.

Q. I notice uniformly in the requisitions for ammunition the words "for target-practice."—A. Yes, sir.

Q. I call your attention now particularly to the requisition of six thousand rounds of ammunition issued during the Combahee riots. Was that issued for target-practice?—A. We never issue ammunition for any other purpose; never, except for the purpose of discipline and causing the militia to understand instruction in musketry, which is taught by target-practice, and so forth.

Q. If there was such a condition of things in the State that the militia should be called out, you would issue ammunition in that case?—A. Yes, sir; but there has not been an instance where they were called out, within my remembrance, for anything of that kind. I never recollect issuing ammunition for any purpose except disciplining the militia.

Q. At the time these six thousand rounds of ammunition were issued, were the militia in active service then?—A. No, sir.

Q. They had not been called out by any order issued by the commander-in-chief?—A. Not that I am aware of. I was merely directed to make a requisition for ordnance, &c.; and I would respectfully call your attention to the fact that on the requisition for the issue of the six thousand cartridges I put the words "Not delivered," because they are at the present time in the possession of the South Carolina Railroad in Charleston.

Q. They were stopped there?—A. Well, sir, I do not know whether they were stopped or not, but I know they were not delivered to the consignee.

Q. Do you know the fact that General Conner interposed there by a legal proceeding?—A. I do not. I never heard of that before.

Q. Or that anybody else did?—A. I never heard of it. The only information I have had about it was the letter received from President McGraw, which was written in reply to a letter addressed to him, asking if the ammunition had been delivered, because I hadn't heard from the party to whom the ammunition was consigned.

Q. Why was it not delivered?—A. I do not know why it was not. The letter of President McGraw stated that it was subject to the order of Captain Hendricks, the consignee; but it appears that Captain Hendricks did not call for it. Why, I am sure I do not know.

Q. Were not six thousand rounds of ammunition a large amount for target-practice?—A. No, sir; because it was for the whole division; for instance, there would be embraced in the Second Division the First and Fifteenth Regiments, the Third and Fourth and Seventeenth Regiments of National Guards.

Q. Do the proper requisitions, orders, and other necessary vouchers in connection with the issue of ammunition, pass through your office?—A. Yes, sir.

Q. Do the orders upon the ordnance-office go through your office?—A. Yes, sir; all orders upon the ordnance-office pass through my office.

Q. No arms could be had and no ammunition could be issued without the orders, &c., passing through your office, properly?—A. Properly. I will state that Governor Chamberlain in one instance directed the arms of a company of the National Guard that were in Chester to be turned over to a rifle club there without ever notifying the adjutant-general's department, and we had to find that out from outside sources; but the general usage—any instance of that kind, we look upon that as official discourtesy—is for all orders emanating from or through any military source pertaining to the issue or recalling of arms or ammunition to go through our office.

Q. I ask you this question: Do you know whether your predecessor in office at any time sold any arms or ammunition from the public stores?—A. No, sir; I do not.

Q. Do you know what number of stand of arms there is now in the arsenal?

The WITNESS. At the present time?

Mr. MERRIMON. Yes, sir.

A. Well, at present there are only about one hundred and twenty-five or one hundred and fifty.

Q. Stands of arms?—A. Yes, sir.

Q. What is meant by a stand of arms—a gun and its equipments?—A. A single gun and its equipments.

Q. Do you know how many arms have been purchased by the State since 1868?—A. One thousand stand of Winchester rifles.

Q. How many other sorts of guns?—A. No other sort of guns.

Q. There have been no other arms purchased?—A. No, sir.

Q. Was that sufficient to arm the whole militia?—A. No, sir; the United States Government furnished nine or ten thousand stand of arms as the quota of the State.

Q. Where are they?—A. They are in the hands of the National Guard all over the State, and some in the hands of rifle-clubs in Charleston, and some in the hands of the guards of the penitentiary, and the residue, about one hundred and twenty-five or one hundred and fifty, are here.

Q. Does the number furnished by the National Government exceed ten thousand?—A. No, sir; it don't exceed ten thousand.

ELLIS THOMPSON—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

ELLIS THOMPSON sworn and examined.

By Mr. CHRISTIANCY :

Question. Where do you reside, sir?—Answer. In Laurens County.

Q. At Laurens Court-House—the village?—A. No, sir; I live north of west some eighteen miles from the village.

Q. How long have you been in the county?—A. Born and raised there.

Q. Near where you now live?—A. Within five miles.

Q. I wish to know whether you are a trial-justice there, and how long you have been so.—A. I am a trial-justice; I don't remember how many years I have been acting as magistrate, but I was magistrate under the old régime.

Q. Were you a trial-justice before the war?—A. Magistrate; we were called magistrates then.

Q. Now, I wish you to state whether you know of any threats or intimidation against the colored people to prevent them from voting the republican ticket, or to compel them not to vote or to vote the democratic ticket.—A. Not within my personal knowledge. I never heard any; I have heard them say that there had been.

Q. Did you ever hear from the democrats themselves anything of that kind?—A. I don't recollect that I did; that I heard a democrat—

Q. I wish to know whether you saw, at any time during the campaign, any of these collections of mounted men—red-shirts—going about the country armed, or going around in large bodies.—A. I did not; though at the time I was at Laurens Village, at a republican meeting there, which was the day, perhaps, of the republican nominating convention, the democratic party was there, a great many of them mounted, and my understanding was that they were there at a meeting of their own also, and that is all that I saw of them.

Q. Do you know of any attempts to prosecute any white people for threats or intimidation, or for violence against the colored people?—A. None before me.

J. A. BARKSDALE—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

J. A. BARKSDALE sworn and examined.

By Mr. MERRIMON :

Question. State your age, your residence, your business, and with what political party you affiliate.—Answer. I was fifty years old in October last; I live in Laurens, two miles above the court-house, and my profession is that of a physician. I am now, however, engaged in selling drugs and farming.

Q. What political party do you affiliate with?—A. The democratic party, sir.

Q. State whether you had any connection with the late election in your county; and, if you say yes, state what it was.—A. I was appointed

as a manager and acted as chairman of the board of managers of precinct No. 3.

Q. What locality is that?—A. At Laurens Court-House. There were four precincts at the court-house, Nos. 1, 2, 3, and 4; I was chairman of No. 4.

Q. Who were your associate managers?—A. J. M. Robinson and E. M. Suber.

Q. Were they colored men?—A. One of them, E. M. Suber, was a colored man.

Q. Were they both republicans?—A. Said to be.

Q. Were you in a position to observe what was going on in the yard around about where the box was?—A. I had a very good position for observing that part of the court-house square west of the house. Our window where we held our box was facing in that direction, and I saw the crowd in that direction.

Q. Did you sit where you could see all day, sir?—A. Yes, sir; from six until six.

Q. State to the committee whether you observed any manifestations of violence toward the colored people or any endeavor to intimidate them.—A. I did not.

Q. How many votes were polled at the box you presided at?—A. Six hundred and sixty-seven.

Q. Was there any obstruction to parties voting there at all?—A. None at all. Several persons were challenged at the box and were reported to me to be under age. I think they were nearly all colored. They were said to be under age, but every one of them voted. I said to them unless I know of my own knowledge, or unless you can furnish me satisfactory evidence that the person applying to vote is not of age, I must take his vote. That is my understanding of the law, and I qualified all of them, and no vote was rejected at all, sir.

By Mr. CHRISTIANCY:

Q. You qualified them all; you mean by that that you swore them?—A. Yes, sir; I swore them; administered the usual oath to them.

By Mr. MERRIMON:

Q. Did you take any part in the late canvass of your county?—A. Not a very active part. I did what I could towards advancing the case of the democratic party.

Q. Did you belong to any club?—A. Yes, sir; I am a member of the democratic club at Laurens Court-House.

Q. I will ask you whether you yourself, by threats of violence of any sort, sought to induce colored men to vote the democratic ticket.—A. No, sir; I can tell you precisely what I said to the laborers on my own place.

Q. Well, sir, you may state that.—A. I said to them, "You have as much right to vote for whom you please as I have. I would like very much for you to vote with me, it would please me very much for you to vote so, but I want you to understand that you have as much right to vote for whom you please as I have;" and every one of them that voted voted the republican ticket.

Q. Then I will ask you whether it is within your own knowledge that any other democrat sought by violence or intimidation to induce colored people to vote the democratic ticket.—A. It is not within my knowledge.

Q. Can you say that you were familiar with the plan of the campaign in your county on the democratic side?—A. I think I was, sir.

Q. What was the vote of that county at the late election?

The WITNESS. Will you allow me to refer to a memorandum which I have made.

Mr. MERRIMON. You can refresh your recollection with any memorandum you have.

The WITNESS. [Examining memorandum.] The vote at the late election was 4,720 in Laurens County.

By Mr. CHRISTIANCY:

Q. In all?—A. Yes, sir.

Q. That is the county?—A. That is the county; and for Laurens Court-House I think it is precisely 2,127.

By Mr. MERRIMON:

Q. At Laurens Court-House?—A. Yes, sir.

Q. The four boxes?—A. Yes, sir.

Q. How did the votes stand as between the two parties in your county?—A. I cannot answer as to the electors. I only had charge of the one box, but I know from these figures, from the general returns, that the democratic majority was 1,194, according to my account. I saw a report, made soon after the election, that it was 1,112, and it is about that, sir; it is about 1,100.

Q. That was the democratic majority?—A. Yes, sir.

Q. How many votes did the republican party receive, taking the votes received for governor?—A. One thousand eight hundred and eight.

Q. How do you account for the success of the democratic party in the election in that county?—A. Well, now, if you will notice, in the first place, our increase was their decrease; we polled 1,815 in 1874 and they polled 2,892, and in 1876 we polled 2,912 and they polled 1,808. Now, as to accounting for that, I would undertake to account for that if the committee require.

Mr. CHRISTIANCY. That is a mere matter of opinion.

Mr. CAMERON. Of course you need not go into that.

The WITNESS. The parties were not thoroughly organized. Their ticket was not full until the last moment, and then on their printed ticket they had the names of three democrats, one as sheriff, one as judge of probate, and one as coroner. The man whom they nominated as sheriff refused twice, through the county newspapers, to serve. I understand that there was dissatisfaction with the ticket.

Mr. CAMERON. You need not state what was understood.

By Mr. MERRIMON:

Q. What sort of a ticket did they have?—A. They had a republican ticket, with the exception of those three men, so far as I know. I know that those three men had belonged to the other party, and I know that one of them stated the fact through the county paper—Little, who was run for sheriff on that ticket, and Knight, who was nominated and put on and run for judge of probate, he was considered a democrat, and the other man who was run for coroner—Miley. I know the fact that some of their leaders deserted the party; and in that way we account for our gain. I know the fact, too, that I heard of complaints and dissatisfaction being made by the negroes of the district and of the county, shortly after one political meeting where it was proposed to divide time and the proposition was refused, and the negroes said they didn't like this. "There's something wrong; there's something wrong." I heard that said by them.

By Mr. CHRISTIANCY:

Q. You are speaking now of what you heard them say?—A. Yes, sir.

By Mr. MERRIMON:

Q. Do you know of many negroes voting the democratic ticket?—A. I cannot swear positively as to the number. I know that a great many voted the democratic ticket at my box. At first I could not tell the difference between the tickets, and they were voting very heavily at the start, but afterward, upon observation, I found that one ticket was a little longer than the other, and, by comparison, I soon saw that I could tell, and I know that a good many voted the democratic ticket, but I cannot speak positively as to how many voted it at that box.

If you will allow me, I will give the vote in 1872. That was when Tomlinson and Moses ran, and the democrats did not but very few of them vote. They polled 2,153.

Q. The republicans?—A. Yes, sir; and we polled 935. Now in 1870 they polled 3,022, and we polled 1,967.

I will mention another fact that comes within my knowledge just now, by way of accounting for our increased vote. I know a good many laborers who have gotten along in the world and made a little property—

By Mr. CHRISTIANCY:

Q. You are speaking of the colored people?—A. Yes, sir, laborers; and they are now dissatisfied because they are about to lose that property on account of last year being rather a bad year for crops, and they have become convinced—

Mr. CAMERON. You need not state that.

By Mr. MERRIMON:

Q. Do you know a colored man in your county named Harrison Hunter?—A. Yes, sir; he is mostly at the Court-House. I live within two miles of the Court-House, and do business there, and I saw him there every day.

Q. Was Harrison Hunter at the Court-House on the day of election?—A. I don't know, sir; I don't think I saw him there.

Q. Do you know a man named John Franks?—A. O, yes, sir; he lives two miles from me—four miles from the town—on the same road that I do, on the Greenville road.

Q. Did you see John Franks at the Court-House that day?—A. I think so; I would not speak positively, sir, but it is my impression that I saw him there. I was very closely engaged all day, but I feel very confident I saw John Franks there.

By Mr. CHRISTIANCY:

Q. That was at which poll?—A. That was at Laurens Court-House I don't remember whether he voted at my poll or not.

Q. You mean, by saying at the Court House, in the village?—A. Yes, sir.

By Mr. MERRIMON:

Q. Do you know the general reputation of Harrison Hunter?—A. I think I do.

Q. What is it for truth and honesty; would you believe him on oath?—A. I could not.

Q. How far does he live from you?—A. He is mostly about the village, and I am there every day. I live two miles from town. I do not know exactly where his home is; I see him in town every day.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY:

Q. As to the reputation of this man Harrison Hunter—when you

speak of his reputation, do you speak of what the people in town say of him?—A. Yes.

Q. Or only what the white people say of him?—A. I do not know that I ever heard any of the colored people express an opinion about him. I think it is what the white people say of him.

Q. The white people are democrats, of course?—A. Yes, sir; very few of the republican party are whites in our county.

Q. That is what I supposed; but what proportion of the population of Laurens is colored and what proportion white?

The WITNESS. At the Court-House?

Mr. CHRISTIANCY. Yes; at the village.

A. I think they have the advantage of us. I think they are in a slight majority at the Court-House, right within the corporate limits; I think they have had heretofore in the elections—I am not sure now; if I were to give an opinion, I would say that we were very close; perhaps we may have—do you speak of the voters?

Mr. CHRISTIANCY. No; of the population.

A. I think they have a little the advantage of us.

Q. How many of the white people there have you heard speak of the reputation of Harrison Hunter for truth?—A. That question might be right hard to answer. I have heard Mr. Holmes—

Q. What Holmes?—A. N. J. Holmes.

Q. Well, when did you hear him speak of it?—A. Lately.

Q. How lately?—A. Well, I think within the last week or ten days.

Q. Have you heard any one else speak of it?—A. I have heard several gentlemen—I don't remember any particular parties right now, but I speak of his general character, so far as I have heard it.

Q. A man's general character is what the people generally say, I suppose?—A. I suppose the public opinion—not what I might think. I suppose you would not take my own opinion.

By Mr. MERRIMON:

Q. This man Harrison Hunter—is he of any political consequence there at all; is he a leader among the republicans?—A. I don't think he is a public man in any way, but I think he has been active in the campaign.

PRINCE GLEN—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

PRINCE GLEN (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. In Laurens County, Laurens Village.

Q. How long have you lived there at the village?—A. I was raised two miles from the village.

Q. How old are you?—A. I will be twenty-seven years old the 10th day of next month.

Q. Are you a republican?—A. Yes, sir.

Q. Where were you at the last election?—A. At the village, sir.

Q. Now, you will tell us if you heard any whites threaten the colored voters before the day of the election.—A. I heard them say that "If you vote the republican ticket you will have no home; you will be turned out." They were not going to have any work for them to do.

Q. Who did you hear say that?—A. I heard so many say that that I don't remember who it was; it was the general talk.

Q. Were they white men and democrats?—A. White men and democrats.

Q. Can you give the names of any persons whom you heard say that?—A. I heard so many say it that I don't—yes, I heard gentlemen talking—all of them talked around there that way.

Q. Do you know whether the democrats arrested republicans on the day of the election at Laurens Court-House without any warrant?—A. They arrested them and put them in jail.

Q. Whom did they arrest?—A. I forget the fellow's name. Some of the fellows were from out in the country. They arrested them and put them in jail, and they came and proved their age. One of them was twenty-three years old, and the other one was twenty-four.

Q. Can you state whether any republicans went away from Laurens Court-House without voting, and why they went away without voting?—A. I gave about twenty tickets myself to men that didn't vote. One man came up to vote, and they put him in the jail and said he voted twice, and the rest of them went off and said they were scared to vote, because they had put that man in jail, and said that he had voted twice. They knew that he didn't, because they came in there with him, and they said they were scared to vote there for fear they would be put in jail or killed, or something of that sort.

Q. Did the red-shirt companies surround the polls on the day of the election?—A. Yes, sir; they did.

Q. Tell us about that; how they did it.—A. These men just surrounded the polls there and cursed and went on against every colored man that came up to vote the republican ticket; they cursed him, and God-damned him, and said that they should not vote the republican ticket and stay in the county; and all such things as that.

Q. Which party took possession of the polls in the morning?—A. The democrats; they had possession of the polls all about the town.

Q. You may state whether or not republicans were permitted to go up to the polls in the morning?—A. Well, sir, they surrounded the polls there and a heap of the republicans was scared to go. Some of the white men at one of the boxes said some colored people who were going to vote was too young, and Mr. Flemming told them to let them vote and then take the names of all that they thought was too young. He was a democrat, Mr. Flemming was; he was supervisor of election that day.

Q. You may state whether your brother was shot by the democrats during the campaign.—A. Yes, sir; he was shot; I saw where he was shot. He was shot in his house.

Q. You saw the bullet-holes in his house?—A. I saw the bullet-holes in him where he was shot. He was not able to do anything for two or three months.

Q. Where was he shot?—A. The bullet went in on the left shoulder and went back in the backbone, and they could not get the bullet out, and it is in there yet.

Q. Were you present when your brother was shot?—A. No, sir; I was not.

Q. Where did he live?—A. He lived about fourteen miles and a half from the village; he came to the village —

Q. He came to the village how soon after he was shot?—A. He was shot Saturday night and went to his father's on Sunday and the old man told him —

Q. You need not state what the old man told him.—A. And he came to the village on the next Wednesday and came to my house and staid there.

Q. How long was he laid up with the wound?—A. Well, he could not do anything for a month or two; two or three months he could not do nothing.

Q. Is he able to labor now?—A. Yes, sir; he is laboring now; but that ball hurts him now sometimes, and at times he can't do nothing.

Q. Do you know whether or not any colored people were driven from their homes?—A. I don't know certainly, only I saw them come to town every day, and they said that they had been run out and shot at, and several was killed up in the settlement. I know of that fact, and they said that they was shot at, and that they had to come to town.

Q. Do you know a colored man in your county named I. W. Rice?—A. Yes, sir; I do.

Q. How long have you known him?—A. I have known him for several years; ever since I was free.

Q. What office does he hold?—A. He used to hold the office of clerk of the court.

Q. Do you know what his reputation is as being a good man and a true man?—A. Yes, sir; everybody always called him a truthful man. I never heard nothing against him but here lately, because he was a republican.

Q. How long was he clerk of the court?—A. He has been clerk of the court four years.

Q. Did you ever hear anybody speaking against him until here lately?—A. No, sir; I never heard anybody speak against him only just on account of his principles. That is all.

Q. Have you ever heard any colored people speak against him?—A. I don't believe he has got an enemy among them in the whole county.

Q. From what you know of his reputation, would you believe him under oath?—A. Yes, sir; I would. I would be obliged to believe him.

Q. Do you know Raphael Stewart?—A. Yes, sir.

Q. How long have you known him?—A. Ever since I was a boy, and ever since I knowed anybody.

Q. What office does he hold in your county?—A. County commissioner.

Q. Do you know what his reputation is for being a good, true man?—A. I universally heard it was so until just lately, because he was a republican.

Q. From what you know of his reputation, would you believe him under oath?—A. Yes.

Q. Do you know W. H. Dunlap?—A. Yes, sir.

Q. How long have you known him?—A. Me and him have been boys together. He belonged to Dunlap, and I belonged to Allen Barksdale, Dr. Barksdale's father.

Q. You belonged to Dr. Barksdale?—A. Yes, sir.

Q. Do you know what Dunlap's reputation is as to being a good man and a true man?—A. I always heard both whites and blacks speak well of him until here lately, about the election. They have been calling him a rascal since.

Q. Who calls him a rascal—whites or blacks?—A. The democrats call him a rascal because he is a republican.

Q. The white democrats call all republicans rascals?—A. Yes, sir; that is what they call them.

Q. Do you know William H. Rutherford?—A. Yes, sir.

Q. How long have you known him?—A. I have been knowing him for eight years. I believe it has been five or six years since he came over from Georgia.

Q. Do you know what people say of him as to his being a good and truthful man?—A. He has had one of the best of names among the democrats. He has always staid at Clinton. He lives a little below myself, and always had the best reputation amongst the whites of any colored man that I ever did see, and that was the reason why we would not nominate him for the legislature, because he stuck so close to the democrats; and now since he has got the nomination they call him a rascal.

Q. From what you know of him, would you believe him on oath?—A. Yes, sir.

Q. Do you know Harrison Hunter?—A. Yes, sir.

Q. How long have you known him?—A. I have been knowing him ever since he was a boy.

Q. Do you know what people say about him as to whether he is a good man and a man of truth or not?—A. All the white people thought very well of him until here recently, when he taken a good deal of interest in the republicans, and they been calling him a rascal ever since then.

Q. Did you ever hear any colored people call him a rascal?—A. No, sir; the colored people all think well of him.

Q. The colored people think well of him?—A. The colored people think well of him.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. You think that these colored fellows are reliable fellows, do you?—A. I have no doubts; I never heard anything against them until here lately.

Q. You believe all these fellows when they swear?—A. Those that have been named I do; I believe them on oath if they take it.

Q. What is your reputation?

The WITNESS. What is mine?

Mr. MERRIMON. Yes.

The WITNESS. You can prove that by somebody else, I think.

Q. Are you qualified to swear as to the reputations of these men?—

A. You can prove that, if I am not qualified, by somebody else.

Q. By whom? Who knows your reputation?—A. No man can say there about me that I ever stole anything. I never did steal nothing. I never was charged with stealing anything since I was born. Dr. Barksdale—you can prove that by him.

Q. Does Dr. Barksdale say you have a good reputation?—A. He would; he couldn't say nothing else. I have never been charged with stealing a pin from anybody in my life.

Q. Do you not know that Rice has been charged with being a bad man for a long time back?—A. Only since he has been a republican.

Q. He has been a republican for four years?—A. He has been a republican officer.

Q. Do the white people speak well of him?—A. Well, I never heard them say anything about him, until here lately they got to speaking against him.

Q. What did they say about him?—A. They say that he is a rascal, just simply because he is a republican.

Q. Raphael Stewart, what sort of a man is he?—A. I never heard anything against him, except he was a rascal because he was a republican.

Q. What does Raphael do?—A. I never heard anything about him until he got the nomination for the legislature.

Q. Then they said he was a rascal, did they?—A. I heard them say he was a rascal.

Q. Harrison Hunter, what do you say about him?—A. I never heard anything about him until he got to taking an interest in the republican party.

Q. You say you were intimidated on the day of the election?—A. No, sir; I didn't say I was at all.

Q. Did you vote?—A. Yes, sir; I did vote.

Q. Did you vote the republican ticket?—A. I did.

Q. Did you see many men vote the republican ticket?—A. I did.

Q. Did you see many colored men vote the republican ticket?—A. I seen several vote it.

Q. You saw some men intimidated?—A. I seen them put some in jail; they said some five or six.

Q. Whether they did put them in jail you do not know?—A. I knowed one put in jail who didn't vote, because I had just given him his ticket, and he came in with a crowd of them all together.

Q. You do not know but he had voted at some other box?—A. They turned him loose. I know they couldn't prove he voted, but they kept him in jail until the next day, and then they turned him loose.

Q. How many did they put in jail?—A. Five or six.

Q. Are you sure that they put them in jail?—A. Yes, sir; I know that they did.

Q. Are you sure about it?—A. Yes, sir.

Q. How many?—A. I can't recollect now exactly how many.

Q. Well, do you say as many as five or six?—A. As many as five or six, charged with voting twice. I know I seed them sent to jail. I don't know how many they put in jail. I couldn't say exactly how many they put in jail, because it has passed my memory.

Q. Were there troops there?—A. They were there at the quarters.

Q. Was there a deputy marshal there?—A. Yes, sir.

Q. Who was he?—A. Mr. Eaton, I believe, and Ladd, I believe they called him.

Q. Do you know what they shot your brother for?—A. They said he was a leading republican; that is all I know.

Q. He wasn't charged with any crime?—A. I never heard no crime put up against him.

Q. You never heard it said that he was guilty of any crime or offense at all?—A. No, sir; they slipped around and shot him like they did all the rest of the colored people as has been shot; slipped around and killed them at night.

Q. How many colored people have been killed, do you know?—A. No, sir; I don't know. I guess you can get a record of how many has been killed there in the county.

Q. You do not know?—A. I don't know exactly how many has been killed.

Q. The white folks made a general habit of killing them?—A. They killed them; but I didn't see any of them killed.

Q. You do not know, of your own knowledge, that any of them were killed?—A. I seen several of them where they buried them at, where they told me they killed them.

Q. You do not know whether they charged your brother with any offense or not?—A. No, sir; I don't say that there was—no, sir; I didn't say so; there was no charge brought against him.

Q. How far did he live from town?—A. About fourteen miles.

Q. You never heard that he was charged with any offense at all?—A. I never heard any. They said they didn't know what he was shot for, because he was as good a negro as they ever saw; that was what the white people said where he lived there. They said he was a man that always minded his own business; but they said he talked a heap about republicans and democrats.

Q. What time was he shot?—A. Now, sir, I just forget what time he was shot.

Q. It was not during the political campaign at all, was it?—A. Yes, sir, it was.

Q. Was he not shot away back beyond that in the summer?—A. Just when the campaign was getting hot.

Q. Well, what time?—A. I don't know what time.

Q. You must answer my questions.—A. Things I don't know I can't answer.

Q. You said it was about three months ago?—A. Well, I couldn't tell when he was shot exactly.

Q. Well, can you not come in the neighborhood of it; was it in August?—A. Some time in August. He went out and pulled fodder with one hand, and they gave him twenty cents a day for pulling fodder, after he got so as to be out.

Q. He pulled fodder with one hand?—A. Yes, sir.

Q. He had been shot before fodder-pulling time?—A. No; some time in August.

Q. Don't you pull fodder the last of August?—A. Some folks does.

Q. How long before fodder-pulling time was he shot?—A. I couldn't tell you, exactly; I know that he staid to my house a week, and then he went over to his wife's uncle's and staid there a week, and while there he went and tried to pull some fodder.

Q. It must have been some time in July that he got shot?—A. I don't know, sir, exactly what time; I can't give no direct statement about that, because I don't know the right time.

PERRY MEREDITH—LAURENS COUNTY.

COLUMBIA, S. C., *January 11, 1877.*

PERRY MEREDITH (colored) sworn and examined.

By Mr. CAMERON:

Question. Where do you live?—Answer. I live up in the Spartanburgh district now. I was living in Laurens County; I had to move out of there.

Q. When did you leave Laurens County?—A. I left since Christmas.

Q. How long did you live in Laurens County?—A. I had been living there six years.

Q. How old are you?—A. I am going on twenty-three years.

Q. To what political party do you belong?—A. The republican party.

Q. Were you shot and wounded by white men in August last?—A. Yes, sir.

Q. Go on and state to the committee the circumstances.—A. I was

shot in August, Thursday night before the first Sunday. There was a crowd of white men came there.

Q. Came where; to your house?—A. Yes, sir. They asked for a cousin of mine named Miles Meredith. My father got up, and they asked him to open the door. They says, "Get up and open that door;" and hollered for him to strike a light. I told him not to make any light; and they said, "Who is in there?" and my father said, "Nobody but me and my son Perry." My brother-in-law he was there, but he didn't know it; he thought he had gone home; but he spoke out and says, "No; I ain't gone home; I am here;" and one of them says, "Who is in there?" and he told them that Washington Gray was there; and they says, "Is Perry Meredith there?" and he says, "Yes, sir; he is in there;" and says he then, "God damn him; shoot his brains out; shoot his brains out, God damn him." There was two doors into the house, and one came in just like that chimney there, from the outside, and another one was right here, like this door, leading through the house. One of them came in the front door, and my brother-in-law ran out of the room where my father was and came into the room where I was, and I had my gun in my hand by that time, and he hollered to me not to shoot, and they was in the front of the house, and they came to the main door at that time. They commenced beating against the door, and broke it down, and poked in a pistol, one of them did, and when he saw me he fell back, and stepped back in the front door, and I shot him, and then they run out of the house in the front yard a little piece. I didn't have but one load, and I had to jump out and run, and I run as far, I reckon, as about thirty steps, and at that time they shot two balls in me; they shot me in the hip, [pointing to the right hip.] Then I ran on, I reckon about a hundred yards as near as I can tell you, and it seemed to me like they were still coming after me, but they wasn't; but I was frightened, and I thought they was, and I ran on again about another hundred yards, and I raked up a pile of leaves beside a log and lay there all night until morning.

Q. About what time in the night was it that they came?—A. About ten o'clock.

Q. How many white men came there, as near as you can estimate the number?—A. I think about thirty, as near as I can tell you.

Q. Did you know any of them?—A. Yes, sir; I knew twelve of them; I know eleven of them, and the twelfth was the one that was shot.

Q. You may give the names of those whom you know.—A. Henry Pryor, Jasper Pryor, Jesse Pryor, Walter Gray, Bias Cox, John Parks, Washington Drummond, Judge Martin, Pink Martin, John Miller, Jake Miller, Willis Cheat—that was the one that I shot, as has been stated to me. I shot him right through here, through the left side, [indicating.]

Q. You shot him after they had broke into your house?—A. I didn't shoot until they broke in the door and poked their pistol in, and I didn't shoot him until after they broke the door down, and I thought then they were going to kill me, and I thought it was life for life, and I tried to defend myself as long as I could.

Q. What did they say while they were breaking down the door, or while they were surrounding the house?—A. They asked my father was I in there, was Perry Meredith in there; and he told them that I was; and they told my father to make a light, and I spoke to him not to make a light, and they hollered, "God damn him; shoot his brains out." And one of them came in there through the front door into the

house, and my brother-in-law was in there; he ran back in the other room where I was, and says he, "Don't shoot." I had my gun in my hand, and says he, "Don't shoot; don't shoot." That was in the front side of the house, and they broke down the door and poked their pistols in to shoot me, and they was hollering, "God damn him; shoot his brains out." And one of the men jumped back, and when he stepped out in front of the door, I shot him.

Q. What did they have against you?—A. They didn't have anything against me but my principles. They said I was a leading man.

Q. A leading republican?—A. Yes, sir.

Q. Did you receive notice before that time that they intended to attack you?—A. Yes, sir; I heard in the settlement that they were going to attack me about my principles.

Q. Where did you go to after you were shot; you said you lay down by a log all night?—A. I came to the village.

Q. To Laurens?—A. Yes, sir; I didn't go off right then. I staid home for about four weeks, and then I came to the village at election time.

Q. Where did you go then?—A. Then I went back home and staid up there at Mr. Patterson's until after Christmas, and then I moved over in the Spartanburgh district. I had to leave the district.

Q. Why did you have to leave the district?—A. They said that no republicans that voted against them could stay there, and especially I was one that should not stay, nohow.

Q. Who said that?—A. Henry Pryor said so, for one, and George Cox said so, for another. It was the talk of the neighborhood.

Q. Do you know of your own knowledge whether and colored men have been turned off the land that they occupied because they voted the republican ticket?—A. Yes, sir; I do.

Q. Whom did they turn off?—A. Jim Meredith has been turned off, for one.

By Mr. MERRIMON:

Q. Do you know that of your own knowledge?—A. Yes, sir; I do; and Washington Gray, for another.

Q. How do you know it?—A. Because they were notified that they would have to leave, and they had to go.

Q. Did you hear them tell them?—A. Yes, sir.

By Mr. CAMERON:

Q. Go on; what else?—A. I heard of some more.

Mr. CAMERON. You need not state that.

The WITNESS. No, sir.

Q. Is that all you know?—A. Yes, sir; that is about all I know of my own knowledge.

Q. Do you know I. W. Rice, of Laurens County?—A. Yes, sir.

Q. How long have you known him?—A. I have known him about three years.

Q. Do you know what his reputation is in that community as a man of truth?—A. Yes, sir.

Q. What is it?—A. It is good.

Q. From what you know of him, would you believe him under oath?—A. Yes, sir.

Q. Do you know Raphael Stewart?—A. No, sir; I don't know him.

Q. Do you know W. H. Dunlap?—A. No, sir; I don't know him.

Q. Do you know W. H. Rutherford?—A. Yes, sir.

Q. How long have you known Rutherford?—A. Well, I have known him—it has been about two years since I have got acquainted with him.

Q. Do you know what his reputation is for truth?—A. It is republican.

Q. Do you know what his reputation is; what people say about him?—A. Yes, sir; they say he is a good man.

Q. Do you know what his reputation is?—A. Yes, sir.

Q. What is it; good or bad?—A. Well, sir, it is good.

Q. From what you know of his reputation for truth, would you believe him under oath?—A. Yes, sir.

Q. Do you know a man named Harrison Hunter?—A. Yes, sir.

Q. How long have you known him?—A. I have known him about five months.

Q. Do you know his reputation for truth?—A. Yes, sir.

Q. What is it; good or bad?—A. Good.

Q. From what you know of him, would you believe him under oath?—A. Yes, sir; I would.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. When you speak of the reputation of these men, do you speak of what you know of them yourself?—A. Yes, sir.

Q. You just speak of what you know about them?—A. Yes, sir.

Q. You would believe them?—A. Yes, sir.

Q. Whether other folks would or not you do not know?—A. I don't know whether other folks would or not, but I would believe them myself.

Q. What did they have against Miles Meredith?—A. They nominated him as a delegate to come down to Laurens to nominate the members of the legislature, if I mistake not.

Q. Didn't they have some other charge against Miles?—A. Nothing else.

Q. No charge against you or Miles there?—A. No, sir; nothing else.

Q. Didn't they pretend that you had done something?—A. No, sir.

Q. Didn't even pretend that?—A. No, sir, they didn't.

Q. Just went for you because you were a republican?—A. Yes, sir.

Q. Nothing else?—A. No, sir; nothing else.

Q. Are you sure of that?—A. Yes, sir, I am sure.

Q. You say that two men whose names you gave turned some men off?—A. Yes, sir.

Q. They did not turn them off until their contract had expired, did they?—A. No, sir.

Q. Their year was out?—A. Yes, sir; the year was out, and they told him that they couldn't keep them for another year.

By Mr. CAMERON:

Q. Did they state why?—A. Because they were republicans. They told them before the election that if they voted the republican ticket they couldn't stay there any longer than Christmas; they couldn't employ them.

By Mr. MERRIMON:

Q. Did they not say they were not able to employ them; that if they employed anybody they would have to take their friends?—A. Yes, sir.

By Mr. CAMERON :

Q. Did you ever hear any republicans in the county say that Rice or Rutherford, or Harrison Hunter, were bad men ?—A. No, sir ; I didn't.

By Mr. MERRIMON :

Q. Did you ever hear them say anything about them at all ?—A. Yes, sir ; I have heard republicans say they were good men.

Q. How did they come to talk about them ?—A. They got to talking about them being republicans ; as true republicans, and men that would stand up to their principles.

Q. They were talking about their being republicans ?—A. Yes, sir.

By Mr. CAMERON :

Q. Did you ever hear any colored people say that they were liars ?—

A. No, sir.

Q. That they would not believe them under oath ?—A. No, sir ; I never did.

(The witness was afterward recalled during the day.)

By Mr. CAMERON :

Q. Dr. Cox testified before the committee after you testified this morning ; and in his testimony he detailed a conversation that he said he had had with you. The reporter will now read that conversation, and then we will ask you some questions.

The stenographer then read the following :

By Mr. MERRIMON :

Q. Do you know anything about the shooting of Perry Meredith ?—A. I was called to Perry Meredith the morning after he was shot, but from press of business couldn't reach him, and sent the runner to another young physician. I went the second morning after that. His admissions to me were : He said that a party came there asking for another man by the name of Myers, I believe, and that they told him that they were not going to disturb him ; that he taken his gun and placed himself—it was a moonshiny night—and that one of them came before the door ; that he shot one of them and run out under the firing of the gun—that was his words exactly—and as he run they shot him twice, and there was two gunshot wounds ; I examined them.

By Mr. CAMERON :

Q. Will you please state again just the conversation you had with Perry Meredith when you visited him in reference to this matter ?

Mr. CHRISTIANCY. Give the language as nearly as you can.

A. He said that a party of men came to the house and asked for a colored man named Myers, and "they told me they didn't want anything to do with me ;" those were about his words ; "I don't intend to have anything to do with you, and I am not going to pester you." He said that he taken his shot-gun and stepped into the shade so that the moonlight wouldn't shine upon him, and fired upon them, and run out under the fire of the gun, and that the party shot him as he ran through the yard. He showed me about where he was when they shot him ; pointed to the spot.

The WITNESS. Are you ready for me now ?

Mr. CAMERON. Yes.

The WITNESS. They went to hunt one of the doctors and they come across Dr. Cox first, and my brother asked him to come and take the ball out of me, and he said he didn't have time to come, and my brother kept on and he found Dr. Jim Allen Martin, and he came and taken the ball out of me, and the second day Dr. Cox called by there. Dr. Cox had said that he couldn't come ; that he had other cases to attend to ; and on the second morning he called by and asked me how I was getting along, and I told him I felt very bad at that time, and I did ; and he asked me who shot me ; did I know who shot me ? and I told him I did ; and he asked me who it was ; I told him that was best known to myself.

I had no such talk as that which has been read with Dr. Cox. I told him I felt very bad; and he asked me did I know who shot me, and I told him I did; and he asked me if I knew any of the men that shot me, and I told him that was best known to myself; and that was all the words that I had with Dr. Cox, and he got up and left the house.

By Mr. CHRISTIANCY:

Q. Then you never told him these words that he stated to the committee?—A. No, sir, I didn't. Them words was never said in the house, and I have got witnesses there in the house with me. Three men were in the house there and heard the doctor's conversation.

T. J. MACKEY—CHESTER COUNTY.

COLUMBIA, S. C., *January 9, 1877.*

T. J. MACKEY sworn and examined.

By Mr. MERRIMON:

Question. I will thank you to state your age, your place of residence, and your business.—Answer. Age, forty-four; residence, Chester, South Carolina; judge of the sixth judicial circuit of South Carolina.

Q. How long have you been judge of that circuit?—A. Five years.

Q. I now direct your attention to the proclamation issued by D. H. Chamberlain on the 7th of October last, in which he proclaims a state of insurrection in this State. Please state to the committee what was the condition of your circuit and of the State at that time, so far as you know, and particularly whether the courts were open and the civil officers of the law were about their regular duties.—A. That proclamation, so far as it alleged domestic violence to have existed at that date anywhere within the limits of the sixth circuit, is false. Immediately upon the issuance of the proclamation I responded to it in a communication, which I now have.

Q. A letter purporting to have been written by yourself has been put in as a part of the testimony?—A. It was written by me. Soon after the issuance of the proclamation—within three weeks—I convened the several grand juries in the four counties of York, Lancaster, Chester, and Fairfield, comprising my circuit, and charged every grand jury to inquire diligently whether the courts or judicial proceedings were obstructed; or whether armed organizations moved, or intended to move, for the intimidation of voters, existed in their respective counties.

I directed the grand jury in each and every county to examine the trial-justices appointed by Governor Chamberlain as to whether domestic violence or insurrection in any form existed in the counties; to examine all the peace-officers of the counties; the sheriffs and the constables.

The several grand juries reported to me in the months of October and November that armed insurrections nowhere existed.

By Mr. CAMERON:

Q. Did they report in writing?—A. Yes, sir.

Q. Then you need not state what they reported—A. I am the judge of the circuit and the reports are filed in my court, and I am better authority than the reports themselves.

Mr. MERRIMON. I maintain that it is competent to state generally, for the purpose of this examination, what the report was which was made

to him; and I now ask him to state substantially the report as made to him by those several grand juries.

Mr. CHRISTIANCY. To which I object, on the ground that he has stated that the reports were in writing and they are not produced.

Mr. MERRIMON. Does the chairman rule that the answer is not admissible?

Mr. CAMERON. Yes, sir.

By Mr. MERRIMON:

Q Domestic violence in no form existed in the circuit, and the courts were open, were they?—A. The courts were open. It is proper for me to state what I understand by the term insurrection.

Mr. CAMERON. O, no; it is not necessary for you to do that; we are after facts and not opinions.

The WITNESS. Insurrection in no form existed in the circuit. The laws were unobstructed, and executed by the ordinary agents charged with the execution of the laws, and the courts were open.

By Mr. MERRIMON:

Q. You were a judge and about your circuit and had extensive facilities of knowledge, sir; and at any time did you observe anywhere obstructions to the due course of law?—A. No, sir. I desire to show rather as responsive to the question that during the period to which Governor Chamberlain's proclamation related—at that very period, and at this period, and at all periods within the last five years, such is the obedience of the people to the law in that circuit that a jury of twelve negroes drawn from the jury-box will convict any negro who wrongs the most odious white man; and such is the case in regard to the white jurors of my circuit; they deal out complete and equal justice without regard to race, color, or previous condition. The rights of a white man are as safe with a negro jury as with the white jury.

Q. Did you have any opportunities for observation outside of your circuit at that time or immediately before or after that time?—A. Yes, sir. I visited the counties of Edgefield and Richland, and visited the city of Charleston, and visited Aiken County—a brief visit to Aiken County. My stay was very brief in all the counties except my circuit. My attention was specially directed to my own circuit, and no violence or armed intimidation passed under my view in the counties outside of my circuit. My visits to those counties were exceedingly transient, passing in and passing out; but as to my own counties I kept the most rigid supervision over them. I knew that elements might be possibly aroused or put in motion that would violate the public peace, and I was everywhere checking it, and warning from the bench all of the employers in the circuit that if any man discharged a voter pending the election because of his political opinions, or refused to rent him land because of his political opinions, or evicted him from land, that such persons so threatening or discharging a voter before or after the election would be brought to the bar of the court; that I proposed to meet the issue in that form.

I opened the court at Fairfield on the 14th day of November, 1876, after the election, and notified all persons, in the presence of a great multitude of people, that if any man had been threatened with violence because of his political opinions, or had been discharged or threatened with discharge from his employment, or evicted from lands, that he should rise in the court room or present himself to the grand jury, and a bill would be found.

One single act of intimidation was brought to my attention in the circuit upon my making a solemn announcement at York. One Henry

Lowry, a colored man, arose and stated that he desired to know whether he had a right to vote the democratic State ticket, and said that he intended to vote for Hayes and Wheeler and Hampton, but that Edward McDonald—

By Mr. CHRISTIANCY :

Q. This was after the election?—A. This was just before the election a few days ; but that one Edward McDonald, a colored man, had threatened his life if he voted for Hampton, and had ejected him from an eating-saloon because he had joined a Hampton club ; and upon this information laid before the grand jury the grand jury made presentment of the case, and a bill was found and this person was tried for intimidation.

By Mr. MERRIMON :

Q. I ask you whether the person who was charged with intimidating the negro, who manifested a desire to vote for Hampton, was convicted, and convicted by a negro jury ?

(Objected to, and objection sustained on the ground that it was not competent to prove judicial records in that way.)

Q. Do you know D. H. Chamberlain, of this State?—A. I do, sir.

Q. Has he at any time been governor of this State ; and, if you say yes, say when?—A. He was elected governor in November, 1874, for the term of two years.

Q. Were you a supporter of his?—A. An ardent supporter ; I seconded his nomination in the republican State convention, and I have generally been credited with the responsibility of that nomination more largely than any other individual in that convention.

Q. State whether, about the time of his election, and immediately thereafter, he manifested any disposition to work reforms in the administration of your State government ; and, if you say yes, whether a disposition was manifested on the part of the white people, the democratic portion of the State, to sustain him and give him their confidence ?

Mr. CHRISTIANCY. Just wait before that question is answered. I call upon Senator Merrimon, who propounds the question, to show what authority there is in the resolutions under which we are acting, for entering into that inquiry ; and, if he can so show, I shall not object.

Mr. MERRIMON. Mr. Chairman, we have discussed that over and over again, and I do not think it is necessary for me to restate the grounds upon which I claim the right to make this inquiry. This very testimony has been gone over and over again.

Mr. CHRISTIANCY. We have declined to enter upon the merits or demerits of the State government.

Mr. MERRIMON. The subject of whether Mr. Chamberlain had preserved his consistency has been gone into all through this examination, and many witnesses have been examined touching that view of the matter before us.

Mr. CAMERON. I think occasionally you would ask a witness that question.

Mr. MERRIMON. I propose to show that at the late election Mr. Chamberlain stultified himself when he went upon a ticket composed of persons, some of whom, at least, he had denounced in square terms for corruption, and as persons unfit and unworthy of the public confidence ; that by his speeches and action, and by his whole course of conduct, he stultified himself, and that he fell into disgrace, instead of being intimidated by the democrats. I propose to show that this was the case.

Mr. CHRISTIANCY. I say to Senator Merrimon that if he can point to

any portion of the Senate resolutions under which we are acting which authorizes us to enter upon that inquiry, we shall not object to it.

Mr. MERRIMON. I point to it in this view: The great object embraced in those resolutions is to ascertain whether the people have been intimidated, and we can ascertain that by general facts as well as by particular facts, and by proving particular instances of intimidation.

It is alleged on the republican side that the negroes were generally intimidated, and evidence has been brought forward to support that allegation; evidence of a general character, and evidence of a special character. Whether it has been sustained in any point of view, I do not now stop to consider or determine.

It is competent for the other side of this issue to show such a state of things in the republican party of this State, and such conduct on the part of its leaders, as goes to show that they were unworthy of public confidence, and that the negroes voted against them—voted for the democratic ticket—the democratic national ticket, and the democratic State ticket, because they desired really a reform in the government, and were not willing to trust their republican leaders any longer; and that they were moved by those considerations rather than by considerations of intimidation.

It is upon that ground that I propose to examine this witness upon this point.

Mr. CHRISTIANCY. We have had the same question up in several different forms and on several different occasions, and this committee has formally decided, as I understand, that they will not enter upon the question of the merits or demerits of the State government, or of either the democratic or republican party of the State in connection with the State government in any shape, and unless we are to reverse our former decision, of course this testimony will not be admissible.

Mr. CAMERON. Of course this question has been decided over and over again, and the decision of it now is the same as it has been: that the proposed testimony is not admissible.

By Mr. MERRIMON:

Q. Have you heard of what is commonly called the Ellenton riots in this State?—A. Yes, sir.

Q. State whether you saw Governor Chamberlain about that time at any place on the railroad train, and had a conversation with him on that subject, and, if you say yes, give us the substance of it as near as you can.—A. The so-called Ellenton riots began on the 16th of September of last year, I think. On the 19th of September, I had left Columbia for my home in Chester, sixty-five miles above Columbia, and when I reached a point within thirty miles of Chester, the United States mail-agent on the cars, Henry D. Kennedy, a colored man, said to me that there were horrible murders——

Mr. CHRISTIANCY. You need not state what he said to you.

The WITNESS. It is merely a connecting-link in my testimony, of course. He said that there were horrible murders in progress.

By Mr. MERRIMON:

Q. You can state that, in consequence of what he informed you, you had a conversation with Mr. Chamberlain?—A. Yes, sir; he stated that Julius Mahers [or Myers]——

Q. Who stated?—A. Henry D. Kennedy, the United States mail-agent——

Q. But the committee will not allow you to state that.—A. I had at

that time declared against Governor Chamberlain; but I entered the sleeping-car——

Q. You had better say that in consequence of a conversation you had with——A. Henry D. Kennedy, the United States mail-agent, I sought Governor Chamberlain on the train and found him in bed in the sleeping-car, and I awoke him. The conductor, Mr. Sprinkle, and a brakeman on the train were standing near me, the brakeman having his lamp in his hand.

I said to him, "Governor Chamberlain, information has just reached me that a wide-spread riot is in progress at Ellenton, in Barnwell County, on the edge of Aiken County, and that the whites and blacks are in collision. You know, sir, that if armed organizations of blacks and whites confront each other, and they are at all equal in strength, the blacks will be destroyed; and I trust that you will return immediately to Columbia, and set in motion the officers of the law or the necessary military force to check this riot, which may soon cover a wide belt of country if not checked. There are a number of negroes on this train who are excited and alarmed, and fearful that it will extend even to this section."

Governor Chamberlain answered me that he thought that he could do no good, if he returned to Columbia, in the way of checking it, and that he had made all his arrangements to visit his family in Massachusetts.

I replied, "Governor Chamberlain, it will do you more honor to return to your post of duty, and to save the life of the humblest negro or the poorest white man, than you can possibly achieve in the field of politics."

He said, "Well, I cannot return; here I am on the train. Has the train passed Winnsborough?" That is where the up-train meets the down-train. I answered, "Yes; the train has passed Winnsborough, but you observe that it has stopped. At my request the conductor of this train signaled the down-train, which was behind time, and the engine is smoking at your side to bear you back to your post of duty. Conductor Newcomer is in charge of the down-train, and he is now waiting, and will wait on you thirty minutes."

Then he replied definitely that he would not return.

I answered, "God help the people who are subject to the rule of the stranger, who views without pity the shedding of their blood; and when Hampton is governor, as he surely will be, he will go to the front when armed white men and armed colored men are in collision, and he will lay his hand on the arm of the white man uplifted to strike the negro, and he will check him; and he will lay his hand upon the shoulder of the negro, and he will bring them both into court to settle their differences." That was the last conversation I had——

By Mr. CHRISTIANCY:

Q. That was the speech that you made to Governor Chamberlain?—

A. That was my valedictory to Governor Chamberlain, sir. A very long friendship ended then; we have not spoken since.

Q. Did you take any part in the late political campaign in this State? and if you say yes, give us an account of your observation through the State.—A. I did. On the 1st day of August, 1876, the canvass in the State opened. Governor Chamberlain and I left Columbia for the purpose of canvassing the State to try to draw back to him, in advance of the meeting of the republican state convention, those republicans who

had been repelled from his support by his sincere and active efforts in behalf of administrative reform.

We had also the especial purpose of influencing the election for delegates to the republican state convention, in order that Governor Chamberlain might be renominated by the republican party.

I canvassed my own circuit with him, passed through Edgefield Court-House, and together we looked the fierce democracy in the eye.

On the 12th of August and 12th of September we spoke at Lancaster, I think, and notices of our speeches at Lancaster appeared in Governor Chamberlain's own paper; and, as defining my own position, I would like to introduce a brief paragraph of four lines.

(Extract not admitted.)

I canvassed for Hayes and Wheeler and Chamberlain. I stood by his side, the solitary white republican in South Carolina of any prominence, advocating his re-election. I was then a member of the republican state executive committee, and vice-president of the grand council of the Union League of the State, which office I still hold.

Q. Before you pass from that campaign, state what you observed, if anything, of violence or intimidation in the course of your campaign.—A. Governor Chamberlain, at Edgefield, on the 12th of August, was treated with gross rudeness and disrespect. There was a great clamor when he arose to speak, and it broke out several times during his speech of half an hour. It was promptly checked by General M. C. Butler, and he closed his speech, speaking out his allotted time, being credited by me—I kept the time. We were holding a joint discussion with the democratic leaders, and the meeting was addressed by the democrats and republicans, and I kept the time, and gave Governor Chamberlain credit for the minutes that he lost by the interruptions.

Governor Chamberlain was followed by General Butler, and Butler was followed by myself. I replied to Butler. I was followed by General Gary. He made a bitter and violent attack upon Governor Chamberlain. He spoke daggers, but used none. I arose to reply to General Gary, who objected, on the ground that I had spoken my allotted time. I admitted that to be true, but said that General Gary's attack upon Governor Chamberlain was so outrageous that it absolved me from keeping the contract, and the audience heard me. Governor Chamberlain retired after I had spoken.

The confusion at Edgefield was stimulated by the fact that the platform fell, with the whole party, five times in about thirty minutes, presenting a dissolving view, both of the republican and democratic leaders, to the entire audience.

Determined that I should still further answer Gen. Gary, I followed the democracy to their meeting up-town, where they had their platform, and I demanded a hearing there; and there I stood alone and advocated Hayes and Wheeler and Chamberlain, and I denounced this bitterness of feeling exhibited. I was heard respectfully.

I regarded Governor Chamberlain's visit to Edgefield, as I so informed him, as most unwise, especially in view of the fact he and I were accompanied by a whole caravan of the most notorious criminals of this State, in buggies, riding from Pine House to Edgefield Court-House, six miles—Harris, the black county commissioner, for whom a warrant had been issued the week before, to arrest him, as he said to me himself, on the charge of being engaged in a conspiracy to assassinate General Butler; next to him came the adjutant-general of the State, Purvis, regarded as infamous universally; and they were followed by several other very obnoxious persons. I was also a republican, obnoxious because of that

fact, but they held me in more kindly esteem, as many of my old comrades in arms in Mexico and in the late war were in Edgefield. These facts accounted, in some degree, for the excitement.

Governor Chamberlain had already published a few days before that his famous proclamation in regard to Hamburg, in which he charged that appalling crime, which has put the white men of South Carolina upon trial at the bar of public opinion throughout the world, upon the entire white population of the State, and not upon the particular individuals engaged in the crime.

By Mr. CHRISTIANCY :

Q. That letter will speak for itself, will it not ?—A. Yes, sir.

Q. Then you are simply expressing an opinion ?—A. I spoke of that as one of the causes of his being so odious in Edgefield. I am not assailing the letter in any form.

Q. It was his letter, then, that did it ?—A. Yes, sir ; in that respect, together with those associations. There was no attempt at violence ; there was but one pistol drawn on that occasion, sir. The colored marshal of the republican procession inadvertently ran his mule against a white democrat, and the democrat drew his pistol to shoot him down ; and this democrat was a desperado. I threw my hand to my pistol to defend the negro ; I was within about thirty yards of him ; but before this man could fire upon the negro General Gary drew his pistol, and placing it at the head of the white democrat compelled him to drop his pistol, and forced him from the crowd. That was the only instance, and Gen. M. W. Gary promptly intervened. It was the democratic county chairman who checked it.

I state now, as I stated the day after the meeting publicly, that there was no attempt to inflict violence upon Governor Chamberlain, or any member of his party, and that after this meeting Governor Chamberlain rode unattended, save by republican friends, six miles from Edgetfield Court-House to Pine House, publicly and openly, and was unobstructed.

By Mr. MERRIMON :

Q. And he was not killed or hurt ?—A. No ; he was not disturbed.

Q. Were you with him at any other point ?—A. I was with him at Lancaster. He has stated that attempts at violence were made against him at Lancaster about September the 1st, at the meeting there ; whereas he, in my presence, expressed to the editor of the Lancaster Ledger, an hour after the meeting at Lancaster, his gratification at the courteous reception that he met with, and he published two days after that meeting in his own paper, the Union-Herald, a notice of the meeting, in which he referred to his courteous reception ; yet he has since designated that meeting as an evidence of the lawless spirit of the people, and declared that he met with the grossest insults at that meeting. I have that paper here, sir.

By Mr. CHRISTIANCY :

Q. Is that notice signed by him ?—A. No, sir ; but it is his paper ; he is the chief owner of the paper, published here under his eye.

Q. You said he inserted the statement in his paper ?—A. It was inserted, I might have said ; it was an editorial in his paper, and I know that he writes a large number of the editorials for that paper. I have written many editorials myself, and so has he, for his paper. This is an editorial notice in the Union-Herald, the official paper of the State, at Columbia, of that very meeting. I propose to introduce it as sustaining my own declaration as to the peacefulness of my circuit—Lancaster is in my circuit.

Q. Do you think your statement needs to be bolstered up in that way?—A. From the character of the evidence here, I think it does.

By Mr. MERRIMON:

Q. Is this paper the organ of the republican party?—A. Yes, sir; the official paper, and owned by Governor Chamberlain at that time.

Q. Did you speak at any other point?—A. At Chester, sir.

Q. Who was with you there?—A. Governor Chamberlain, and A. S. Wallace, member of Congress, and others. Governor Chamberlain was treated with profound respect, (this was in September;) and at the close of the meeting he repaired to my residence, and there the democratic club called upon him and paid their respects, with numerous democratic citizens of Chester. Governor Chamberlain replied, thanking the citizens for their cordial greeting. I spoke also on that occasion. We also spoke in the same month at Rock Hill, in York County, to an immense audience. Governor Chamberlain was very kindly greeted there, and the assemblage was a peaceable one, no rioting or indications of any violence; and at each of those meetings Governor Chamberlain announced himself not only as a republican, but said he, "I am a radical republican." He was cordially greeted everywhere, sir. The meeting at Lancaster, and at Rock Hill, in York County, was after the nomination of General Hampton.

Q. Well, you may go on to any point where you spoke.—A. Those are the five counties in which I spoke in company with Governor Chamberlain.

Q. Well, that campaign had in view the nomination to be made by the republican State convention for governor and other State officers?—A. Yes, sir; and secured the election in several counties of delegates favorable to the nomination of Governor Chamberlain. Governor Chamberlain was nominated.

Q. Were you in that convention?—A. Not a member; I declined an election, but I was there, and a very active advocate of Governor Chamberlain in every way, and stood by him up to the moment of his nomination.

Q. I ask you particularly, in connection with the convention and its action, whether a colored man by the name of Robert B. Elliott made a speech against Chamberlain's nomination; and, if you say yes, whether you can give the substance of the remarks he made in reference to Chamberlain; and, if you say you can, to state what he said.—A. I can, sir. I wrote down his remarks as they fell from his lips at the time, but I have lost my notes. I remember one paragraph especially. Elliott, confronting Chamberlain, and laying his hand upon his breast-pocket, said: "I hold here a letter written by Governor Chamberlain. Were I to read this letter it would destroy Governor Chamberlain; but I will not read it, because it would also destroy the republican party, that party whose banner I have aided to carry in triumph through these many long years. I may yet be compelled to read this letter, and you may yet regret, gentlemen of the convention, that you did not go into secret session, as I suggested some time since." That was the paragraph to which I refer. Governor Chamberlain then responded.

Q. What did he say in reply to that?—A. He opened by expressing his surprise at the unwarranted and outrageous attack, and said: "I have been approached recently by certain parties in the interest of the Blue Ridge scrip and the conversion bonds," (referring to certain fraudulent issues of various bonds and scrip.) "and my support has been asked for a scheme to make them good. If I had accorded that support this attack would not have been made upon me; but, Mr. Chairman, the American people have set the seal of their condemnation, in

the case of their most brilliant statesman, James G. Blaine, upon revelations of private correspondence. I deny that I have performed any act that should bring a blush to the cheek of an honorable man; and I am willing to stand by my record."

I have no doubt that I have repeated every word or nearly every word that Governor Chamberlain uttered up to that point. The attack of General Elliott failed of its intended effect, and the convention—

Q. Let me ask you now what were the relations between Elliott and Chamberlain at that time?—A. They had been bitterly hostile for more than a year—Chamberlain denouncing Elliott freely in the presence of Elliott's friends, and denouncing him as utterly corrupt; and I denouncing Elliott as utterly corrupt while making the canvass in company with Chamberlain, and reverted to Elliott continually as a leader of the opposition to Chamberlain.

Q. Were their personal relations unfriendly?—A. Yes, sir.

Q. As well as their political?—A. Yes, sir; their personal relations; and I denounced Elliott and Dunn, who were acting in concert in that convention. I denounced them and insisted on Chamberlain's nomination by the convention.

I have a letter to Governor Chamberlain written after Chamberlain, Dunn, and Elliott were nominated, in reference to Elliott. Mr. Dunn was the competitor of Chamberlain for the nomination for the governorship in the republican State convention; and after the attack made by Elliott, referred to, Governor Chamberlain was duly nominated by that body.

Q. Now let me ask you, after this controversy between Elliott and Chamberlain in the convention, to which you have adverted, what was the result of the action of the convention?—A. The convention that night, the 13th of September, nominated Governor Chamberlain to the office of governor. The next morning at ten o'clock Governor Chamberlain re-entered the convention arm in arm with Elliott, and Elliott was thereupon nominated for the office of attorney-general. I considered, and I have so stated, that Dunn and Elliott were the symbolism of antagonism to Governor Chamberlain's efforts at administrative reform in the State—efforts that I believed then were sincere efforts for the good of the people, and which, I believe, if they were carried out, would be for the good of the whole State. I have never changed that opinion. I had assailed those persons as typifying the hostility to reform in the government.

Q. Did Governor Chamberlain say anything to you about Elliott after that time, or write anything about it to you?—A. He did, sir; five days after Governor Chamberlain's nomination he wrote me this letter.

Mr. MERRIMON. I ask that the witness be permitted to read that letter.

Mr. CHRISTIANCY. I understand that the letter has reference to the previous transactions or previous standing of Chamberlain and Elliott.

The WITNESS. I used this letter with tremendous effect in the canvass against Chamberlain. I lost him hundreds and hundreds of votes by that letter.

Mr. CHRISTIANCY. How does that render it pertinent to any inquiry that we have to make?

Mr. MERRIMON. I will tell you how it is pertinent. I insist that it is competent to impeach Elliott. The Chair will remember that Elliott swore that the personal relations between him and Governor Chamberlain were of the most friendly character; whereas, if this witness is to be believed at all, he has sworn falsely. And for the purpose of im-

peaching Elliott's testimony I offer this letter to you, written by Chamberlain to the witness.

The WITNESS. This letter shows the deepest hostility on the part of Chamberlain to Elliott.

Mr. CHRISTIANCY. If there was no other objections it would be perfectly incompetent to introduce a letter written by Chamberlain to somebody else to contradict what Mr. Elliott has sworn to. It would be introducing hearsay evidence, and you could not impeach him in that way. That is enough to exclude it, and when excluded on that ground it is, of course, excluded on any other ground; because all beyond that is matter which pertains merely to State politics, which we are not to inquire into.

Mr. MERRIMON. That witness swore that the personal relations between him and Chamberlain were of the most friendly character.

Mr. CAMERON. So far as he knew.

Mr. MERRIMON. No, sir; he did not say anything about that. I propose now to introduce a letter written by Chamberlain to this witness in which he expresses in the strongest terms his unfriendly feelings toward Elliott.

Mr. CAMERON. It is very clear the letter is not competent evidence.

Mr. MERRIMON. I ask the witness to state whether he has in his possession the letter written by D. H. Chamberlain shortly after the nomination made by the republican State convention of last year, in reference to R. B. Elliott; and whether that letter contains expressions of the strongest character, disapproving of Elliott and denouncing him, and approving of the course of those republicans who had refused to support the ticket nominated by that convention?

Mr. CHRISTIANCY. The grounds of objections have been sufficiently stated already.

By Mr. MERRIMON:

Q. Was that letter written some time after the nomination?—A. Four days after Elliott's nomination, and five days after Chamberlain's.

Q. Had Chamberlain accepted the nomination at that time?—A. Yes, sir; he had already accepted it.

Q. State any further observation you made, after the action of the State republican convention, through the State, in the course of the political campaign; whether you observed any violent demonstrations toward the black people, as black people, to drive them to the support of the Hampton ticket—the democratic ticket?—A. None whatsoever. I may properly state here, that at parting with Governor Chamberlain, after the nomination, I told him that I proposed to meet him and his ticket everywhere through the State, and if he appeared to advocate it I should confront him. He never did appear to advocate that ticket, and never confronted the people in the advocacy of his own ticket. I could not hear any violence as connected with him. I saw none in the canvass.

Q. Did you pass through the State to any great extent?—A. To a pretty large extent. I was through Charleston, Richland, and Edgefield Counties, and passed through Lexington and the four counties of my circuit already named; and I witnessed no violence.

Q. Where were you on the day of the election, sir?—A. I was at my place of residence, Chester Court-House.

Q. A witness by the name of A. S. Richardson has sworn before this committee that Judge Mackey interfered with Mr. Canton, deputy marshal at your court-house, and said that he [Mackey] did not regard the

order of Mr. Taft ; that you interfered with Mr. Canton and directed the sheriff to arrest him ; that he told the sheriff in your presence that he had exclusive jurisdiction there that day ; and that he brought you and the sheriff to your senses and good behavior. I will ask you to give your account of that transaction.—A. Yes, sir. As I was at a point about thirty yards from the ballot-box at Chester on election-day, when Mr. Robert Anderson, a citizen of Chester County, informed me that a man named Canton, claiming to be United States deputy marshal, had—— [Remainder of the witness's statement in regard to what Mr. Anderson informed him, stricken out.] I am a judge of the circuit, and I know that Mr. Robert Anderson was prevented from casting his vote by violence.

Q. State what you saw.—A. I did not see this treatment of Anderson. I went to the ballot-box and saw Canton, who claimed to be a United States deputy marshal, ordering citizens to go from the polls in a very rough manner—citizens who were quietly approaching the polls. I approached him and said, "By what authority are you here? I am informed that you are interfering with the rights of voters. By what authority do you interfere?" He says, "I have got the authority." I said, "Show it, sir. If you don't show proper authority I will commit you to jail upon proper complaint, immediately, unless you give the necessary bail to appear for trial." He then drew from his pocket his appointment as a United States deputy marshal and opened it. I looked at it and I said to him, "You may exercise authority under that appointment to the extent of keeping order, but if you attempt to obstruct any voter in his right to vote you will be arrested." I said, "It will then be your duty, Mr. Sheriff, to arrest this person if he obstructs any voter in his right to vote." Mr. Canton did not respond offensively ; had he done so I would have had him arrested immediately. On the contrary, he left the spot immediately in great haste. He was gone a few minutes and returned ; the sheriff was observing him, and I observed him. It was perfectly quiet. In about twenty minutes after these remarks of mine, Lieutenant Hinton, of the Eighteenth United States Infantry, arrived with a detachment of seventeen men—I counted them—and non-commissioned officers and privates, who were formed in line in the court-house yard about thirty feet of the ballot-box ; the ballot-box being up-stairs in the court-room, and the detachment being formed in line in the yard.

As Lieutenant Hinton formed his command, Canton said to him, "Lieutenant, clear this court-house yard." There were then about two hundred citizens in the half-acre lot, quietly standing around engaged in conversation, laughing and talking. Lieutenant Hinton replied, "I will not do it, sir ; no disturbance is being created." That is my recollection of Lieutenant Hinton's words. I was standing about twenty yards from Lieutenant Hinton.

I was satisfied that Lieutenant Hinton would not perform so unlawful an act.

I would not have permitted that the yard should have been cleared in that manner. I knew, I would state, that Canton had no more authority to stand at that poll as a deputy United States marshal, than he had to take his seat in the Congress of the United States without being elected ; that his appointment was in direct and positive contravention of the act of Congress which declares that no person shall serve as a special deputy marshal at any election unless he is a voter in the county and precinct in which he acts. Canton was acting in Chester, and was a voter in the county of Richland, and it was a matter of

grace only, and favor, that he was permitted to exercise any functions there.

I knew that we had the positive provision of the statute against it; the United States marshal knew it; because that had been discussed in the public press before the election. I said nothing to him in regard to Attorney-General Taft's order. I had already reviewed the order from the bench, and had declared that it should not be executed to the extent of the powers conveyed in my circuit. There was no sufficient military force to sustain the deputy marshals in the execution of the violation of the laws proposed to be authorized by that order, in my judgment. I could as readily have arrested the troops as the marshals.

The troops remained in line a few minutes, and then retired to the grounds in the rear of the court-house—a short distance in the rear. In a short time after one Alex. George, a United States deputy marshal, approached several colored men who had the Hampton ticket in their hands, and proceeded to take hold of their tickets, and to denounce them for being democrats. Lieutenant Hinton, commanding the detachment, in my hearing and sight, approached Alex. George and said to him, "You must stop this; you are here to prevent disorder, and not to incite it."

Those were the only cases of disorder which I witnessed. I would say in regard to A. S. Richardson, whose testimony you have referred to—

Q. I was going to ask you his general character?—A. His character is infamous.

Q. I ask you if you knew the general reputation of A. S. Richardson?—A. I do know it to be that of a notorious thief and a jail-bird.

Mr. CHRISTIANCY. I don't know what course you take in your courts, but in all the courts that I ever knew, a witness, who is asked if he knows the general character of a man, is not allowed to answer whether it is good or bad until he says whether he knew it or not.

Mr. MERRIMON. What is his general character for truth and honesty?—A. It is bad; he is regarded—

Q. Would you believe him on oath?—A. I would not. He is a notorious thief and jail-bird; a drunkard.

Q. Do you know D. T. Corbin, United States district attorney for this district?—A. I do, sir.

Q. Do you know T. H. Cooke, a judge of one of your judicial circuits?—A. I have known him for twenty-five years, sir.

Q. Do you know his general reputation?

Mr. CHRISTIANCY. That is objected to. A witness introduced by yourself whom we have not undertaken to impeach, if he differs in a statement of one fact from one of the witnesses that we have introduced, it is incompetent for you to support his reputation until it is attacked.

Mr. MERRIMON. I ask you whether you had any conversation with Judge Cooke in August or September last in which he stated to you a conversation he had had with D. T. Corbin in reference to the political campaign in this State?

Mr. CAMERON. You need not answer that.

Mr. MERRIMON. State whether, during the late campaign, you saw or heard Wade Hampton, a candidate for governor on the democratic side, speak. If you say yes, state to the committee whether his policy and his speeches were of the temperate and peaceful tone, kindly toward the colored people, and made in such a spirit as to induce them to vote that ticket, or whether they were violent and demonstrative and threatened violence?

A. I spoke frequently with Gen. Wade Hampton, the democratic candidate for the office of governor, during the recent campaign, speaking from the same platform; he speaking on the issue of home-rule and administrative reform in the State, and I for Hayes and Wheeler and Hampton. He declared that his policy was peace. It appeared to me that the scales had fallen from the eyes of the recognized leaders of the democratic party in the State at last, and that he had very sagaciously abandoned the old democratic policy and instead of trying to catch his flies with vinegar was using molasses.

By Mr. CHRISTIANCY:

Q. Are you following the language used by him in his public speeches?—A. No, sir.

Q. You are giving your judgment?—A. Yes, sir. He stated at Winnsborough that he was prepared to vote for Hayes and Wheeler, having faith in their civic virtues; believed that it would be no dishonor to the republican party if Mr. Hayes should become its Chief Magistrate; that he could vote for Hayes and Wheeler, if necessary to protect South Carolina; that, individually, he should cast his vote for Tilden, but he saw no reason why the supporters of Hayes and Wheeler and the national republican party could not vote for him, Hampton, on the State issue.

On each and every occasion upon which I spoke, besides General Hampton there was a Tilden and Hayes elector present, or candidate for elector. At Winnsborough, Major T. D. Barker, a candidate on the democratic ticket for elector, was present, and while I reviewed Mr. Tilden with great severity, I spoke ardently in favor of Hayes and Wheeler, and yet no democrat attempted to reply to me, because they believed that in denouncing Messrs. Hayes and Wheeler they would repel the colored vote.

That was the general plan of the campaign everywhere; no one replying to me, I advocating Hayes and Wheeler; and at none of these meetings did any disturbance take place. The whites were generally dressed in red shirts, and the blacks who had joined the Hampton movement generally had red shirts on. Hampton rode at the head of the procession always, the procession seldom numbering less than 3,000 persons, with a black man on his right, a republican colored man and a white man on his left, and moved in that manner to the platform, always, whites and blacks intermingled.

But there was a more potent influence in operation than the speeches of General Hampton. The whole State was covered with smoke during the canvass; it was not the smoke of battle, but of barbecues. The policy was to reach the negro's political conscience through his stomach; not with lead, powder, and ball, but with beef. That was the general policy, and the negro took kindly to it. He is an excellent feeder. There was a sort of dietetic reconstruction of the two races eating at the same barbecue, operating against the republican State ticket, but not operating against the Hayes and Wheeler ticket; for in my circuit many democrats voted for Hayes and Wheeler.

By Mr. MERRIMON:

Q. Within the compass of the questions I have propounded to you, do you remember any other fact material to be stated to this committee?—A. I have been informed that A. S. Richardson has testified to this committee that the deputy marshal was shot in my circuit—Alex. George, whose name I had mentioned as the one who was checked

by Lieutenant Hinton. He was shot twenty days after the election, and the person who shot him was arrested under my warrant.

Mr. CAMERON. Richardson merely mentioned the fact that he was shot.—A. I learned that it was stated as a part of the general violence prevailing at the election. He was shot twenty days after, during a personal broil.

Mr. MERRIMON. A. S. Richardson swore that “since the election Alex. George, chief deputy marshal of the county, has been shot and killed;” and I ask you whether you know what the verdict of the coroner’s jury was in that respect, and whether they found that quarrel in which he was killed was non-partisan in its character?—A. No opinion was expressed upon that point by the coroner’s jury. The person who shot Alex. George was indicted on the charge of shooting Alex. George by a grand jury of fourteen whites and three colored men, republicans, and they found a bill for murder.

By Mr. CAMERON:

Q. How many of the grand jury must agree in finding a true bill?—A. Twelve.

By Mr. CHRISTIANCY:

Q. How many jurors should there be to compose a grand jury in this State?—A. Eighteen. Richardson stated that there had been four gin-houses burned——

Q. How do you know he has stated that?—A. It was read to me since I have been in the room.

By Mr. MERRIMON:

Q. He says this, “Several gin house fires, some four, took place, and the democrats had a meeting and resolved to hold the leading republicans responsible.” You may say anything you know about the burning of gin-houses in that county.—A. Some four gin-houses were burned, within about three weeks after the election, in the county of Chester. A public meeting was held with a view of taking measures to ascertain who were the perpetrators.

By Mr. CHRISTIANCY:

Q. You were at the meeting, I suppose?—A. O, yes, sir; I was at the meeting from its beginning to its close, and the alleged arson was not charged against any class of persons by their party names. Had it have been charged against the republicans, as such, I would have resented it immediately; but it was alleged that negroes were engaged in these outrages. I denied at the time that there was a particle of proof to show that any negro had committed these crimes. I referred to the fact that in every case the cotton that was destroyed by the fire was the undivided shares of negroes.

Q. The property of the negro and the owner of the land?—A. Yes, sir; both lost it. At that meeting I called attention to the fact—I desired to soften this heated feeling against the blacks—that while there were 150,000 buildings in my circuit which under our statute became the subject of arson—that any building within the curtilage might become the subject of arson—yet but one case of arson had occurred in the circuit in five years. It is without a parallel, this small proportion of cases of arson, for the number of buildings that may become the subject of arson under the statute, classed as dwelling-houses; for a mere shed in which a person occasionally sleeps for the purpose of taking care of property, is made the subject of arson. It is not confined

to a dwelling-house proper as a common law; and I reported to General Hampton these demonstrations, these opinions as to the colored people being engaged in arson; and I stated that I feared that this impression being created might lead planters to discharge colored people, and that some had threatened, since the election, to discharge men who had voted against them. General Hampton requested me to address my fellow-citizens of the sixth circuit, and to appeal to them not to discharge any man from their employment or to evict him from rented land because he had voted for Mr. Chamberlain; which I did. I have called meetings all over my circuit to that end since the election, and no discharges have taken place to my knowledge. When a man is discharged for voting for Chamberlain or Hampton, upon proof the grand jury will find a bill, under my instructions, and the person so discharging the laborer will be placed on trial under our statute. We have a special statute on the subject.

I felt deeply wounded at this imputation upon my circuit. I know that the black and white jurors are just and fair. Thirty-seven Ku-Klux have been convicted in my circuit in the past three years for acts performed in the Ku-Klux conspiracy in 1871, and thirty-six have been convicted by the verdicts of jurors composed wholly of democrats; while fifty-three officials have been convicted by juries composed wholly of negroes—republican officials have been convicted by juries composed wholly of negroes, in the past few years, for malfeasance in office. Republicans have been convicted by republicans and democrats by democrats. Of the fifty-three officials convicted, fifty-two were republican and only one of them a democrat; but as the justice of my court may be impeached for an apparent discrimination against the republicans, it is proper for me to state that there were about one hundred and fifty republican officials in the circuit and only one democratic official, and it was impossible to convict any more democrats. The democrat was convicted for getting drunk habitually.

CROSS-EXAMINATION.

By Mr. CHRISTIANCY :

Q. Then you are not yourself aware of any discharges of workmen or employés by their employers, or of refusals to allow the colored people who had voted the republican ticket to have land?—A. No complaints have been made to me or to the grand juries.

Q. You do not mean to say that there have been none in those counties?—A. No, sir.

Q. Only that none of them come to your knowledge?—A. Nor to the knowledge of the grand juries. The grand juries have reported to me—

Q. You cannot tell of the number that have come to the knowledge of the grand juries except as it is reported to you?—A. They have reported that no complaints were made.

Q. You say that Mr. Canton, deputy marshal at the election, showed you his commission?—A. Yes, sir.

Q. You say that was the commission of a special deputy?—A. Yes, sir.

Q. You are sure of that fact?—A. Yes, sir; that is my recollection.

Q. I wish to know whether you are sure of it, because he has testified to the contrary—that he was a general deputy, and had been for some time before.—A. His commission was precisely like that of other special

deputies which I examined. He held it open in his hand for a few seconds, and I saw the red imprint upon it—just the usual form.

Q. His testimony is that he was a regular deputy marshal for some years.—A. He showed me that commission, sir; I am positive it was the commission of a special deputy marshal, though it did not affect my action in the slightest degree—the character of his commission. I would have arrested the United States marshal himself, or the officer commanding the United States forces, if he had interfered with a single voter illegally. I had the force to do it as against a detachment of soldiers.

Q. I wish you to state precisely the time when you had this conversation with Governor Chamberlain, in the railroad-cars, in reference to the Ellenton riots.—A. On the night of the 19th of September, 1876. The special act of violence to which I called his attention that night was the alleged murder of Simon Coker, a member of the legislature.

Q. Which took place that very day?—A. That very day.

Q. That very day, or the day before?—A. Yes, sir; I knew Coker, and regarded him as a worthy man.

By Mr. CAMERON:

Q. Did you vote for the Hayes and Wheeler electors?—A. I will answer that question, if you will permit my whole answer to it.

Q. I would not ask you, only you spoke of your support of the national republican ticket.—A. I entered into an arrangement with three friends with the understanding that they were to vote for Hayes and Wheeler if Mr. Hayes disclaimed of having any responsibility or having taken any part in securing the distribution of troops in this State. I was to write to Governor Hayes upon this point, and if he did not disclaim it, I was to vote for Tilden; if he did disclaim it, those three were to vote for Hayes and Wheeler. I wrote on the 20th of October, and I received no answer, and in fulfillment of my pledge I marched to the polls and voted for Tilden, in company with four democrats who voted for Hayes and Wheeler to offset my vote.

Q. Then you mean to say that you voted for Tilden and Hendricks?—A. Yes, sir; and on that condition four democrats voted for Hayes and Wheeler.

Q. Give the names of the four democrats who voted for Hayes and Wheeler.—A. One of them was named Robert Walker, another William Smyer, but I forget the names of the two others. They were Chester men. I induced them to vote for Hayes and Wheeler, though they had the democratic ticket in their hands. I printed a Hayes and Wheeler and Hampton ticket, and circulated it in my circuit—printed it at my own expense. The democratic State executive committee having declined to issue it three days before the election upon my application, I printed one myself and had it generally distributed. I induced these four men to vote this Hayes, Wheeler, and Hampton ticket, and told them of my arrangement. I made a special appeal to them to vote it.

Q. But you yourself voted for the Tilden and Hendricks electors?—A. On those conditions, in fulfillment of that pledge; which, I think, ought to give greater weight to my personal opinion as to the result of that election.

By Mr. MERRIMON:

Q. I ask you, sir, to reduce to writing what you know of the character of Judge Cook, and also whether he had a conversation with you, in substance, what I propose to read to you—I will show you what he swore here—and put that affidavit in my hands.—A. I will do so with pleasure.

Mr. MACKEY was afterwards recalled at his own request, and stated as follows:

In regard to my last answer, that I wrote to Governor Hayes whether he ever had any part in the distribution of troops, to which he made no answer, (as it would be an act of great impropriety for him to have control of the distribution of the troops,) I desire to add that on inquiring of him personally I have ascertained that he never received my letter. Two clerks charged with opening all his letters in regard to the canvass were steadily engaged in that duty. One of them remembered that letter, but stated that he had never presented it to Governor Hayes, not knowing its importance. But I did not state the particular circumstances under which it was written. It was part of the agreement that I should not state those circumstances. He informed me that had he received it he would have answered it. But he took no part, and had no function to perform, and could not have with reference to the distribution of troops anywhere. The general impression is here that the troops were acting at the instance of Governor Hayes.

COLUMBIA, S. C., *January 10, 1877.*

GEORGE W. HOLLAND recalled.

By Mr. CAMERON:

Question. Do you know David Graham?—Answer. Yes, sir.

Q. Do you know what his reputation for truth is in the community in which he resides; what the people say about him?—A. It is good.

Mr. MERRIMON. You have not told yet whether you know.

By Mr. CAMERON:

Q. Do you know what it is?—A. It is reliable.

Q. You say it is good?—A. Yes, sir; it is good.

Q. Do you know Wiley J. Williams?—A. Yes, sir.

Q. Do you know what his reputation for truth is?—A. Yes, sir.

Q. What is it—good or bad?—A. It is good.

Q. Do you know Judge Bowie—what his reputation is?—A. Yes, sir; I know his reputation to be good.

Q. Do you know Jesse Jones?—A. Yes, sir.

Q. Do you know what his reputation is?—A. I know.

Q. What is it—good or bad?—A. It is good.

Q. Do you know Augustus Harris?—A. Yes, sir.

Q. Do you know what his reputation for truth is?—A. Yes, sir.

Q. What is it—good or bad?—A. It is good.

TANDY GLOVER—EDGEFIELD COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

TANDY GLOVER (colored) sworn and examined.

By Mr. CAMERON:

Question. Where were you during the day of the last election?—

Answer. At Edgefield Court-House.

Q. What box were you at?—A. At the school-house.

Q. What happened to you on the day of the election?—A. I got struck in the head.

Q. Who struck you?—A. When I came to, the people told me it was Mr. Swearingen done it.

Q. Where were you when you got struck?—A. I was 'most to the school-house, going on there.

Q. Where were you going?—A. Going up to the school-house to vote.

Q. Are you a republican?—A. Yes, sir.

Q. You wanted to vote the republican ticket?—A. Yes, sir.

Q. What did he say to you when he struck you?—A. Didn't say anything at all.

CROSS-EXAMINATION.

By Mr. MERRIMON:

Q. What is a republican; what sort of a looking thing?—A. A 'publican?

Q. Yes.—A. Of course, we are those that stand to the country as it first started.

Q. What do you say it is; what sort of a looking thing is it?—A. A 'publican?

Q. Yes.—A. It is the folks like us, sir.

Q. What do they believe in?—A. They believe in doing the right thing for their own nation, sir.

Q. You go for the right thing, do you?—A. Yes, sir.

Q. For your own nation?—A. Yes, sir; and every other nation, as far as it is right.

Q. You don't know anything about the principles that they advocate, do you?—A. No, sir; I don't know anything about the principles of all of them; I know the principles of some.

CALVIN HARPER—LAURENS COUNTY.

COLUMBIA, S. C., *January 10, 1877.*

CALVIN HARPER (colored) sworn and examined.

By Mr. MERRIMON:

Question. Where do you reside?—Answer. At Laurens Court-House.

Q. What is your business?—A. A farmer.

Q. And your age?—A. I was 38 years old last August.

Q. To what political party do you belong?—A. I belong to the democratic party.

Q. Where were you on the day of the election?—A. I was at Laurens Court-House.

Q. Did you vote the democratic ticket there?—A. Yes, sir.

Q. Did anybody force you to do it?—A. No, sir.

Q. How long have you been a democrat?—A. I have been a democrat all the time.

Q. What sort of an election did you have there?—A. We had a pretty fair election.

Q. A great many people voted there?—A. A great many.

Q. Any trouble or disturbance there?—A. No, sir; none at all.

Q. Did you canvass any portion of the county of Laurens?—A. Yes, sir.

Q. How many times did you speak?—A. Well, I spoke a good many times; some five or six—maybe four or five times.

Q. Did you do it voluntarily; that is, of your own will?—A. Yes, sir.

Q. You were not driven to do it?—A. No, sir.

Q. Did you observe any intimidation of colored men by democrats?—A. No, sir.

Q. Did you observe any intimidation of colored men by republicans?—A. No, sir.

Q. Was there any intimidation by radicals of colored men that wanted to vote the democratic ticket?—A. No, sir; not as I know of.

Q. Did you have any connection with the democratic club there?—A. Yes, sir.

Q. How many men belonged to your club?—A. I don't know, sir, how many there was belonged to the club that I belonged to.

Q. Have you any idea of how many colored men voted the democratic ticket in the county?—A. I could not have an idea of how many voted in the county altogether, but I have an idea of how many voted at the village; between four and five hundred voted at the village.

Q. You had a good opportunity to observe the vote?—A. Yes, sir; I went from one box to the other; I was giving out tickets.

Q. Do you know any other fact in connection with the election that you could tell us here?—A. No, sir.

By Mr. CHRISTIANCY:

Q. How do you know how many voted the democratic ticket?—A. I didn't say I knowed how many; I said I thought there was about that many.

Q. Why do you think there were so many?—A. I saw a great many of them voting.

Q. How many of those in your club voted the democratic ticket?—A. Well, I know of my own knowledge—

Q. What you saw yourself?—A. What I saw myself?

Q. Yes; and know that it was a democratic ticket that they put in; how many?—A. Well, I reckon I seed from two to three hundred.

Q. You saw from two to three hundred with your own eyes?—A. Yes, sir.

Q. You are sure of that?—A. Yes, sir.

Q. At Laurens Court-House?—A. Yes, sir.

Q. How could you tell whether it was a democratic ticket that every one put in?—A. Because I handed a good many of them to them.

Q. How do you know that they voted the ticket that you gave them, every one?—A. I seen them go up and vote it, a good many of them.

Q. You saw them go up and vote?—A. Yes, sir.

Q. And do you know positively that each one of them put in the ticket that you gave them?—A. Do I know that?

Q. Yes.—A. Yes, sir; if I didn't know it I wouldn't say.

Q. How could you know that fact?—A. Because I saw them go up and vote.

Q. Did you stand right beside every one of those three hundred when they put in the votes?—A. No, sir; but I stood by and saw them vote the tickets.

Q. You do not know whether they changed those tickets or not after you gave them to them?—A. No, sir; I don't know whether they changed the tickets after I gave them to them; I didn't see them change them.

By Mr. MERRIMON:

Q. Did you watch them very closely to see; were you anxious?—A. Yes, sir.

Q. You watched closely?—A. Yes, sir.

Q. And you don't hesitate to tell the committee what you have told about this thing?—A. No, sir.

Q. You believe you are correct?—A. Yes, sir.

By Mr. CHRISTIANCY :

Q. How many votes were polled at Laurens Court-House?—A. I don't know, sir.

Q. Do you know how many votes were polled at that place?—A. No, sir ; I do not.

COLUMBIA, S. C., *December 20, 1876.*

IRA W. RICE (colored) recalled at his request.

The WITNESS. I think I made two mistakes as to the names of parties. I gave the name of Perry Meredith, but the real name is Perry Stoddard ; and I think I gave the name of Mark Hunter for Thomas Cusp.

By Mr. MERRIMON :

I want to ask you one question that I did not ask you yesterday :

Question. How do your official accounts stand there?—Answer. O, that is all right. I am glad you asked me that question. I am required to make a return to the court, every time it meets, of moneys received and paid out ; and if my accounts were twenty-five cents out of the way it would have been badly proved at any time. We have been watched as close as they could watch us, and if my accounts had been \$15 short there would have been an indictment against me.

Q. You are not a defaulter in any respect?—A. No, sir.

Q. You are sure of that?—A. Yes, sir ; I am sure of it. If I was a defaulter that fact would have been proven before the court long ago. They would not have waited for the committee to prove it.

Q. Your accounts are all square?—A. I have money on hand that has not been paid out, and have had for sometime.

Q. Have you uniformly accounted for the moneys at the time and to the persons entitled?—A. I am not required to account to persons, but to the court, for moneys paid in.

Q. If a man's judgment is collected do you not pay the money to him?—A. No, sir.

Q. No money paid in to the clerk at all?—A. No, sir.

Q. Well, then, you state generally that you have accounted duly to the proper authorities for all moneys that were paid into your office with which you are charged by the law?—A. Yes, sir ; I do.

By Mr. CHRISTIANCY :

Q. That is up to the last term of the court?—A. Yes, sir.

Q. Of course since that time you could not have done it?—A. No, sir ; there have been several times during my term when they have not had any court ; of course then I could not make any statement.

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Has not pretended to testify that rifle-clubs never used arms improperly.....	825
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Has no personal knowledge of the truth of assertions in his written statement....	826, 827
Explains that insults to Governor Chamberlain was a personal matter of Butler's.	828
Between three and four hundred clubs in the State.....	828
They were political clubs, but armed for "home protection".....	829
They were a police-force; no statute authorized such clubs	829, 830
If armed clubs went to republican meeting it was against orders	831
Clubs were to attend republican meetings and demand a division of time.....	831
Has heard that negroes were robbed of their arms.....	832
Has heard that Hampton spoke with moderation and Gary threatened violence....	833
Arms taken from the militia stored in the Edgefield court-house	833
Court-house broken into and arms taken; the act charged to both parties	833
The threat "If you vote republican ticket we will not employ you" general.....	834
Explains statements in his letter as to protection from arson, rape, &c.....	835
Explains his testimony regarding rifle-clubs.....	836
Explains his testimony regarding the policy of the democratic leaders.....	837

JAMES CONNER, CHARLESTON COUNTY.

Personal record, (age, residence, profession; a democrat)	837, 838
Was democratic candidate for attorney-general; states policy toward the blacks..	838, 840
In some places spoke to many negroes; in others there were but few.....	840
Blacks had been warned not to go to democratic meetings	840
The riot after the election; negroes fired at some gentlemen; democratic constable wounded	840, 841
The mayor and witness clear the streets. A carriage fired into	842
No part of democratic policy to threaten or intimidate negroes.....	843

JESSE JONES, EDGEFIELD COUNTY.

Personal record, (residence, age; clerk of the court).....	843, 853
Found about 1,000 colored men at box No. 1	843
Mounted white men surround the polls; no negro allowed to vote	844
United States officer refuses to interfere; blacks then go to box No. 2.....	844
Not a republican voted at box No. 1 up to 9 a. m. Threats by armed men.....	845
Found the same state of affairs at box No. 2. Negroes beaten with clubs.....	845
Riflemen would not give way for the troops; they enter through a window.....	845
Troops allow republicans to vote. Eight hundred republicans did not vote.....	845, 846
They staid until six o'clock loping to vote. Witness did not vote.....	846

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Two negroes vote democratic ticket. Had to lay out during the canvass.....	846, 847
Life threatened if he testified before the committee. Governor Chamberlain threatened	847
History of the Edgefield meeting, when pistols were drawn on Governor Chamberlain	848, 849
Insults, threats, and abuse to Governor Chamberlain at Edgefield.....	849
Another meeting; Butler notified not to interrupt it; he has 800 men there.....	849
Democratic managers bring in both boxes and keys; one box kept at General	
George's.....	850, 851
One box brought in by a democrat, claiming 500 majority; "We shall reach 3,000"	851
The democrats threw out 300 democratic votes in one box so as to reduce majority	852
Was arrested for conspiracy to murder General Butler; arrest made on a false	
affidavit.....	852
Signed the returns of the county commissioners, and why.....	883
Negroes could not take possession of a box. Thinks 800 votes were put in one box	854
How democratic managers obstructed voting by questions.....	854
General Butler threatens witness; said that the returns were a fraud, and did	
nothing.....	856
The militia arms stored in the jail; the arms taken out.....	857
Saw some of the arms in the hands of democrats election-day.....	857
The jailer stated they were taken by white men. Georgians voted at this place...	857

AUGUSTUS H. HARRIS, EDGEFIELD COUNTY.

Personal record, (residence, age; deputy marshal).....	858
Threatening conduct of democrats at Edgefield, box No. 2.....	859
No colored man allowed to vote until 9 a. m.; some are beaten.....	859
Whites vote at box No. 2, and go to box No. 1 and vote again.....	859
Soldiers go down to box No. 2; Gary orders whites to hold the box.....	860
Asked republican voter questions for half an hour; the questions.....	860
Not a democrat was asked a question. Georgians vote. Repeating.....	861
Saw a wagon loaded with arms; the Edgefield mass-meeting.....	861
Gary's violence; Chamberlain insulted; pistols drawn.....	862
Democrats carried election by repeating and keeping colored men from voting....	862
Republicans a great deal more quiet and peaceable than democrats.....	862
General Butler's threats. Eighteen hundred republican majority in the county...	864
The only incendiary arrested in the county was a white man.....	865
Colored men often shot. White men voted in negroes' names.....	865, 866

B. K. MOTTE, BARNWELL COUNTY.

Personal record, (residence, age, &c.).....	867
Democrats raided through the county, hunting for men from Robbins.....	867, 868
Firing into the polls at Robbins; both republicans and democrats leave.....	868, 869
Polls opened at the church; republicans come from two other precincts....	869
Regarding the vote of the precincts and county.....	870
Negroes did not fire on the polls; women and children did not vote.....	870, 871

HARRISON W. BOWIE, EDGEFIELD COUNTY.

Personal record, (residence, a probate judge, &c.).....	871, 872
Threats by Butler, Gary, Sheperd, and other democratic leaders.....	872
Republican processions impeded by armed democrats.....	873
Rioters and threatening conduct of the democrats.....	873, 874
Republican speaking allowed at the dictation of General Gary.....	874
Governor Chamberlain could not speak. Riflemen out night before election....	874, 875
Democratic club fires guns through the trees over the heads of republicans.....	876
Anvil and guns fired all night before election. Threats by Watson and others....	877
Forty republicans afraid to vote. Watson's threats.....	878
White democrats voted more than one ticket at a time.....	879
Is driven from the polls. How the returns were canvassed.....	881, 882
Republican commissioners afraid to go to the court-house.....	882
Dare not speak during the last campaign. Gary's threats.....	883
One hundred and thirteen votes cast for which no names are on tally-list.....	884
Conference as to power of the committee to inquire into the use of United States	
troops at the capitol in Columbia.....	885-887

THOMPSON H. COOK, GREENVILLE COUNTY.

Personal record, (residence, age, judge, a democrat).....	887
Gives reasons why he supported Hampton; courts were open.....	888
No resistance to law; canvassed a portion of the State.....	888

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"Was rough on Chamberlain;" was interrupted by cheering and hollering.....	889, 890
Was interrupted by republicans at Abbeville and Greenville.....	890
Ordered away from the polls by Scruggs; Scruggs incites a row.....	891
Scruggs runs for the soldiers; they come and all is quiet.....	891
L. P. Guffin complains to witness of intimidation in the county.....	891
He could not make out a case; charged the grand jury; jury reports the county quiet.....	891, 892
Corbin thinks if some negroes could be killed it would save the State.....	893
Chamberlain thinks something must be done to bring troops into the State.....	893, 894
Patterson says "they would have to kick up hell and get the troops down here".....	894
Hampton's canvass peaceable, orderly, and quiet; nothing threatening.....	895
Never saw a rifle-club make a demonstration at a meeting.....	895
Saw no guns; about republicans saying the democrats would re-enslave.....	896
His object to carry the State for Hampton; no other person heard Corbin.....	897, 898
No other person heard Governor Chamberlain; cannot recall the exact language.....	899
Meetings where witness and Hampton spoke; meetings witness addressed alone.....	890-901
Supported Scott and Moses, and measures of the republican party.....	902
Did not, on reflection, hear any say that democrats would re-enslave negroes.....	903

SANDY M. SANDERS, BARNWELL COUNTY.

Personal record, (residence, a farmer, a colored democrat).....	903
Joined the democrats willingly; a colored democratic club of 90 to 100.....	903
Called a meeting; interrupted by republicans who had guns.....	904
Had to go to woods to organize; is threatened; colored democrats active.....	904, 905
Went to talk politics with negroes; no one attempted to hurt him.....	905, 906
Every time he attempted to talk they would whoop and holloa.....	906
Don't know how many guns they had.....	907

J. C. SHEPPARD, EDGEFIELD COUNTY.

Personal record, (age, residence, profession, a democrat, &c.).....	907
Was active in the campaign; no intimidation or force used.....	908
Democratic meetings not largely attended by negroes.....	908
Nearly every man in Edgefield has a pistol; none drawn election-day.....	908
Whites secured possession of the entrance to box No. 1 first; voted quietly.....	908, 909
Negroes leave about eleven o'clock for Macedonia Church precinct.....	909
No obstacle to voting; not the least hostile demonstration.....	910
Twenty-six republicans voted; six hundred democrats.....	910
Saw the counting of returns; no disturbance; heard no threats.....	911
Never threatened Jesse Jones; Jones an unmitigated rascal.....	912
Negroes who had voted at Macedonia box attempt to repeat at box No. 1.....	912, 913

GEORGE MEAD, EDGEFIELD COUNTY.

Personal record, (residence, a barber, a colored democrat).....	914
Is a democrat of his own free will; "No use for a democratic nigger".....	914
"Won't wash a shirt for him;" "Charge him two prices".....	914
Is threatened by an old colored woman; went to make a speech.....	915, 916
Only two men came; rises to speak at Meeting street; negroes all leave.....	916, 917
Asks a conundrum of the committee; they give it up.....	917

WILLIAM G. CHILDS, RICHLAND COUNTY.

Personal record, (age, residence, a farmer, a democrat).....	917
Urges negroes to vote democratic ticket; heard negroes threaten others.....	917
Gives names; a woman threatens her husband; women intimidate men.....	918
Democratic negroes jeered at; democratic negroes prevented from voting.....	918, 919
Democratic negroes wanted a change of government.....	919

WILLIAM MURPHY, AIKEN COUNTY.

Personal record, (age, residence, a democrat, &c.).....	919
Saw the militia at Hamburg picket the streets.....	919
If a fuss was raised they would run for their guns.....	919
Carter kills Harris with a militia gun; both are colored.....	920
Stores robbed; saw General Butler in Hamburg July 8.....	921, 923
Knows that the gun Carter used was a militia gun.....	923
Don't know that the robber of the store belonged to the militia.....	926

MRS. LUCY HARLEY, AIKEN COUNTY.

	Page.
Personal record, (age, residence, &c.)	927
Two negroes call at the house; ask for Mr. Harley	927
Both had sticks; is struck by one of them	927
Threatens to shoot him; both negroes run	928
Child struck by one of the negroes; neighbors are called.	928
Peter Williams brought to the house; not the one who struck her	928
He was one of the men who was there; they came at 7 a. m.	929
Used no insulting or threatening language: the man did not speak when he struck	930
The blow raised a lump; the other man did not speak; neither spoke	931
He did not try to stop her; did not try to take the gun; stood there	931
Williams brought in the afternoon; heard the guns when he was shot	932, 933
At first said he was not the man; he was dressed different	933
Thinks he was the one who was with the man who struck her	933
Names of men in the crowd that brought him	934
Has no doubt that Peter Williams was one of the men	935

GUY TAYLOR, EDGEFIELD COUNTY.

Personal record, (age, residence, a farmer, a democrat)	936
Was president of a colored club; no one was forced to join it	936
They were free to vote as they pleased; not a bit of a riot	936
Was threatened before election; turned out of church because he was a demo- crat	937
Has been a democrat since the war; has missed his master since he was free	937
Was better off when he was a slave; little boy brought the threats.	937, 938

EDWARD HENDERSON, ABBEVILLE COUNTY.

Personal record, (residence, a carpenter, a democrat, &c.)	938
President of a colored club; threatened at polls by a deputy United States mar- shal	938
Intimidation by women; saw no pistols except among republicans	939, 940
Has always been a democrat; democrats have most work to do	940

J. M. COCHRAN, ABBEVILLE COUNTY.

Personal record, (age, residence, occupation; is a democrat, &c.)	941
Was United States supervisor at Hodges; it was a very quiet election	941
Did not see a gun or a pistol: Beverly Vance's reputation not good	941
Is offensive in his politics; as a republican, "very active, very active"	941, 942
Did not see or hear of any disturbance all day	943

A. A. GLOVER, EDGEFIELD COUNTY.

Personal record, (age, residence, a farmer, a democrat)	944
Manager at box No. 1, Edgefield; elections usually held up-stairs in court-house.	944
Court-house was not broken open; managers could not fix up the papers	944, 945
Managers appoint Major Gary and Shepherd to fix up the papers	945
Witness takes the box; thinks it was kept in the court-house	945
Everything passed off pleasantly; Jones's reputation bad; so is Williams's.	945
No legal voter prevented from voting; Jones assented to opening polls up-stairs.	946
Witness had the only gun at the polls; no threats; never saw a more peaceable crowd	947
States how returns were sealed; no crowd during the counting	947
Did not see any horsemen at the polls; did not look	948
Cannot tell any exact time when these men's reputations have been questioned ...	948, 949

R. R. DUVISOR, EDGEFIELD COUNTY.

Personal record, (age, residence, a planter and a democrat)	950
Was commissioner of election; board met and counted the returns	950
Lieutenant Durham was present all day; heard of no dissatisfaction	950
Was a protest sent? none when counting; did not read protest	950, 951
Vote of county larger than usual; reputation of Jesse Jones	951, 952

W. H. BRUNSON, EDGEFIELD COUNTY.

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Personal record, (age, residence, a merchant, democrat).....	952
Supervisor of election, box No. 1; election very quiet.....	952
Saw no violence outside; no disturbance at counting of vote.....	952, 953
Democratic opinion of Jesse Jones.....	953

RICHARD ROMAN, ABBEVILLE COUNTY.

Personal record, (age, residence, a farmer, a colored democrat)	954
Abused by men; intimidated by women; turned out of church.....	954
Was changed by Governor Chamberlain's speech; the colored club at Abbeville..	954, 955
More forcing by republicans than by democrats; Beverly Vance's reputation very fair	956, 957

ASBURY GREEN, ABBEVILLE COUNTY.

Personal record, (age, residence, a farmer, a colored democrat).....	958
Joined a democratic club; never saw such a peaceable election.....	958
Had a jolly time election-day; was threatened by colored republicans.....	959
Whites gave him a red shirt; thought it would be good for cold weather.....	960

AARON MITCHELL, ABBEVILLE COUNTY.

Personal record, (age, occupation, is a democrat, &c.).....	962
Intimidation by republicans; house is visited and fired into.....	962, 963, 964
Colored democrats rebuked by their wives; is threatened by women.....	965, 966
States reasons for leaving republican party; gets most work from whites.....	967, 969
Never heard any threats of discharging men if they vote republican ticket.....	970

WALKER BARNES, BARNWELL COUNTY.

Personal record, (residence, age, &c.).....	970
The democrats to carry the election; or every republican to be killed.....	971
Heard the guns that killed Ed. W. Bush; Ashley saves witness's life.....	971
His employé makes him come out of the field so he will not be killed.....	972
Goes for Ed. Bush's body; Dr. Turner threatens Dick Thompson.....	972, 973
The polls fired into; negroes run every way; whites commence shooting.....	973, 974
Flies into the swamp; does not vote; leaders to be killed.....	974
Tickets of protection for democratic negroes; young Turner drinks.....	975

NELSON BUSH, AIKEN COUNTY.*

Personal record, (residence, age, &c.)	975, 976
Pursued by riflemen and shot while trying to escape	976
Is afterwards protected by George W. Bush; Overstreet shot.....	976
Mr. Prior saves witness's life; is knocked down with a pistol.....	976, 977
Butler's threats after Hamburg; was not armed; negroes not armed.....	978

CHARLES A. DARLING, SPARTANBURGH COUNTY.

Personal record, (residence; was deputy marshal).....	978
Republican meeting broken up; colored speakers clubbed and shot at.....	979
United States officers made drunk and helpless; republicans could not vote.....	980
United States mail-carrier compelled to lie out; democratic increase of 1,900.....	981
The vote of the county; democrats poll 1,195 votes in excess of all the whites in county	981
Negroes did not vote for fear of discharge; democratic chairman has boxes three days	981
Republican commissioner afraid to stay and count returns.....	982

WADE HAMPTON, RICHLAND COUNTY.

Personal record, (age, residence, &c.)	984
States his connection with State canvass; how it was conducted.....	984
Large numbers of negroes attended his meetings; they were not intimidated.....	984
Why rifle-clubs were formed; Governor Chamberlain a member of several.....	985

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Clubs not formed for political purposes; not organized as military bodies.....	985
Heard of no insurrection in the States: saw only good will throughout the State..	986
Negroes heard him respectfully; they would not listen to other speakers.....	986
The white and colored vote; the State census.....	987, 988
Discussion as to proper evidence for committee to consider.....	989, 990
Has friendly relations with negroes; was in favor of negro suffrage.....	991
An old servant will not vote for witness.....	992

JACKY HARLEY, AIKEN COUNTY.

Personal record, (ten years old, &c.).....	992
Saw two negro men come to the house.....	993
Was knocked senseless; saw his mother with a gun.....	993
The two men run; saw Williams shot.....	993, 994
Names of men who did the shooting; his mother knew Williams.....	994, 995
Knew Williams by his face; he had changed his clothes.....	995
Never saw the men before; knew their names; his father told him.....	996, 997

ALONZO M. HARLEY, AIKEN COUNTY.

Personal record, (age, residence, occupation, &c.).....	997
Was at work; saw Pope and Williams pass; called to the house.....	997
Found that wife and son had been assaulted.....	997
The tracks of the men followed; Williams taken; runs; is shot.....	998
Williams identified by son and wife; the negroes rise.....	998
A dozen negroes armed and drilling; negro sends a challenge.....	999
A negro brought the challenge; whites spend a whole day treating for peace.....	999
Never used any threats against negroes; is under bonds for murder.....	1000, 1001

E. M. TENNANT, BEAUFORT COUNTY.

Personal record, (age, residence, occupation, &c.).....	1001, 1002
Was engineer on the railroad; rail misplaced.....	1002
Train runs off; cars wrecked; thinks he saw negroes.....	1002
Heard guns fired; saw a squad of whites coming.....	1002, 1003
Whites were mounted; don't know who fired.....	1003, 1006

JAMES E. CROSSLAND, AIKEN COUNTY.

Personal record, (age, residence, a democrat, &c.).....	1006
Saw the negroes gathering at the bridges Saturday; heard a drum.....	1007
Saw forty armed negroes Sunday; Wilkins Melton, wounded.....	1007
Saw five armed negroes Monday; could get nothing out of them.....	1008
Negroes march toward Ellenton Monday morning; marched back at night.....	1008
Saw six negroes Monday evening; three of them afterwards killed.....	1009
Saw not over five hundred negroes; all armed with shot-guns.....	1009, 1010
The actions of the colored people; knows nothing more about the riot.....	1010, 1011
Concerning the general reputation of colored republican witnesses.....	1011-1016
What witness recollects about white men passing; also about colored men.....	1016, 1017
Recognized negroes at 150 yards; but could not recognize whites.....	1017

GEO. W. CROFT, AIKEN COUNTY.

Personal record, (age, residence, a lawyer, and a democrat).....	1018, 1019
A thorough, peaceful, and persuasive campaign; colored clubs.....	1019
Peaceable election at Aiken; action of the county canvassers; no threats.....	1019, 1020
No arms shown at the canvass of returns; Spencer signed voluntarily.....	1020, 1021
Met Henderson and Allen after Ellenton; no threats made to them.....	1021, 1022
Met the United States soldiers at Rouse's Bridge; the agreement to disperse.....	1022, 1023
All peaceable at the Aiken court in September; negroes against negroes the only intimidation.....	1023
Is captain of a rifle-club; it is armed with Sharp's rifles; went to Ellenton.....	1024
The number of whites at Rouse's Bridge; the resolutions of non-employment....	1025
Names the board of county canvassers; witness was not a member.....	1026
Witness read off the figures; Spencer looked on; Edmonson wrote them down... 1026,	1027
Spencer did not read them all; witness was member of democratic committee.....	1027
Never saw an outsider read the returns before; is indicted for being at Ellenton...	1027
No negro or republican has been indicted for being at the riots.....	1027

JOHN BONNER, AIKEN COUNTY.

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Personal record, (age, residence, a merchant, and a democrat).....	1028
Negroes wanted to buy ammunition generally; they reported fighting at Rouse's. 1028,	1029
Armed negroes assemble at Ellenton; the whites alarmed.....	1029
They threaten the whites; want Lewis, the telegraph operator.....	1030
Negroes march toward Rouse's Bridge; whites come next morning.....	1030
Saw Coker's and Kelsey's bodies; negroes did not harm any one.....	1031
Saw the train go to Robbins; did not see Coker killed.....	1032, 1033
Knew Coker well; saw a body; they said it was Coker's.....	1033, 1034
Keeps a bar; knows all of his neighbors; don't know any of the men present... 1034.	1035

T. J. DAVIS, AIKEN COUNTY.

Personal record, (age, residence, occupation, is a democrat).....	1036
Was manager of election at Beach Island; Georgians voted for Tilden, and why.	1037
No intimidation; went to Ellenton Monday; no political motives.....	1037
Whites commanded by Colonel Butler; may have heard threats against negroes. 1038,	1039
Has heard whites say they would not employ republicans.....	1039

JAMES R. QUILLIAN, AIKEN COUNTY.

Personal record, (age, is a democrat, &c.).....	1040
Was one of a posse to arrest Pope; fired into at Rouse's Bridge.....	1040
Reported that whites were fired on Sunday night.....	1040
Carroll's threats before the massacre; Williams (white) killed.....	1041
Continues to act as one of Brown's posse; more about Carroll's threats..... 1042,	1043
Newman's (colored) reputation is bad; numerous men who make same state- ment.....	1044

M. E. STALLINGS, AIKEN COUNTY.

Personal record, (age, occupation, is a democrat).....	1045
Was at Rouse's Bridge; Williams (white) killed.....	1045
Had no political motive for action in the Ellenton massacre.....	1045
Williams shot in the evening; he had been at Rouse's Bridge.....	1046

LUTHER A. RANSOM, AIKEN COUNTY.

Personal record, (age, residence, occupation, democrat).....	1047
States rumors that were afloat, &c.; went to Rouse's Bridge.....	1047
Thirteen niggers with arms; they refuse to give up Pope.....	1047
Negroes threaten witness and Page; the conference; a shot fired; the retreat.. 1047,	1048
Three negroes with rifles; whites gallop over; some one fires.....	1048
Another conference; whites and blacks disperse; goes to Rouse's Bridge again..	1049
Meets soldiers; both parties go home; had no political motive.....	1049
Is under bond to appear for connection with Ellenton massacre.....	1050

ROBERT J. BUTLER, EDGEFIFLD COUNTY.

Personal record, (residence, &c.).....	1050
His son came home and made two communications; had Phillips arrested.....	1051
Hardly anybody travels on the road except his family; describes the road.....	1052
Went to the justice "to know if men had a right to stop up my road".....	1052
The officers of the militia company in court; Doc Adams asks questions..... 1052,	1053
Doc Adams in contempt of court; the court dismissed; Attaway talks.....	1053
The court to open next day; sends for General M. C. Butler; propositions to settle.....	1053, 1054
Witness will settle if the militia will say that they have done wrong, &c.....	1054
Settlement fails; the firing commences; witness stays with a family until all is over.....	1054
His son begged him to go into the house; begged and plead not to have diffi- culty.....	1055
Has been arrested for Hamburg and Ellenton; don't know where Ellenton is. 1055,	1056
Never intimidated or whipped any one; the street is a public one.....	1056, 1057
Went home at midnight; never saw any prisoner in the streets at all.....	1057
The militia had no right to their guns; Rivers said they had no right to them... 1057,	1058

H. A. SHAW, EDGEFIELD COUNTY.

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Personal record, (age, residence, a physician, and a democrat).....	1058
Went to Hamburg to go on the bond of Getzen ; Doc Adams turbulent	1058
Goes again Saturday ; the attempt to settle the affair ; great deal of excitement...	1059
Don't know who commenced firing ; Merriweather killed ; witness leaves.....	1059
All the killing done when he was not there ; had no political motive.....	1059
Rev. Mr. Mealing's character good ; character of people of Hamburg	1060
Doc Adams's character bad ; is charged with murder.....	1060-1062

J. P. MEALING, EDGEFIELD COUNTY.

Personal record, (age, residence, a minister).....	1063
Went to Hamburg to go on his nephew's (Getzen) bond	1063
Doc Adams curses the court ; is placed in arrest ; trial postponed	1063, 1064
Butler wanted the trial at an earlier hour ; Butler takes out a peace-warrant.....	1064
Attaway's threats ; returned on Saturday ; General Butler tries to have a conference.....	1065
No conference held ; only five or six whites present ; witness counsels peace.....	1065
Don't know who began the firing ; left, but returned to assist Merriweather's father	1066
Doc Adams's testimony not true ; heard persons say some negroes had been killed	1066-1068
Had General Butler's pistol that night ; names men whom he saw at Hamburg.	1068, 1069

SIMON CRAWFORD, MARION COUNTY.

Personal record, (age, residence, &c)	1069
Chairman of a democratic club ; kept a little store.....	1069, 1070
Is visited by rifle-clubs ; ordered to come out ; threatens to kill the man who enters.....	1070
Wife pulled out of bed ; house ransacked ; still defends himself.....	1070, 1072
Goes to have his assailants arrested ; is himself arrested on a peace-warrant.....	1073
Leaves for Columbia ; house plundered and property destroyed.....	1073, 1074
Is shot by a colored democrat ; threats by the democrats	1075, 1076
Never held any office ; is not competent ; Sheriff Evans's character	1079, 1080

JAMES FRANKLIN, SPARTANBURGH COUNTY.

Personal record, (age, residence, colored democrat).....	1081
Was a democrat because he wanted to do a great deal of business.....	1081
A little row on election-day ; no obstruction to voting.....	1082
Is a blacksmith ; votes democratic ticket to get patronage.....	1083

J. W. TALIAFERRO, RICHMOND COUNTY, GA.

Personal record, (age, residence, &c.).....	1083, 1084
Character of Dock Adams, of Hamburg.....	1084

JOHN A. CHRISTIAN, RICHMOND COUNTY, GA.

Personal record, (residence, age, chief of police, &c.).....	1085
Character of Dock Adams, of Hamburg.....	1085-1087

LEWIS CHILDS, LAURENS COUNTY.

Personal record, (residence, age,).....	1087
To be turned out of house if he voted the republican ticket.....	1087, 1088
Warned not to go to Columbia as a witness.....	1089
His master is a friend, but compelled to turn him off his land.....	1089

THOMAS ELLIS, LAURENS COUNTY.

Personal record, (age, residence, &c.).....	1091
Must vote with the whites or get no employment next year.....	1091
Warned to leave the county ; how he became a witness.....	1092, 1093

LIEUT. JOHN C. WHITE, EDGEFIELD COUNTY.

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Personal record, (rank, &c.).....	1094
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Thinks Attorney-General Stone's report of the massacre very unfair	245
The militia company not legally organized; quotes the law	245
Schiller's character bad; don't know who fired the first shot; was held to bail	246
Did not see any intention to intimidate the court; has demanded that the investigation proceed	246-247
Has rendered the minority (democratic) of the committee all the assistance he could	247

LEROY F. YOUNG—RICHLAND COUNTY.

Personal record, (age, residence, &c.; is a lawyer and a democrat.)	248
Took an active part in the campaign; it was remarkably quiet	248
It was a special desire of General Hampton and others to address the negroes	249
It was the plan and policy of the campaign to use peaceable means to get negroes to vote with democrats	249
No intention to use violence; a general feeling to employ only those who voted with the democrats	249
Went to the adjutant-general's office to examine the records regarding Doc. Adams's company	250
Memorandum of the record; law quoted to show what is required of such organizations	250-251
Witness states the action of the courts when the whites came before it	251-252
Knows nothing of intimidation; the town was quiet	252
No violence at any meetings attended by the witness	253

RICHARD C. WATTS—LAURENS COUNTY.

Personal record, (age, residence, occupation; is a democrat)	253
Took part in the campaign; no attempt to frighten or intimidate any person	254

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Was at Laurens Court-House election-day; it was a peaceful, calm, and quiet election.....	254
Saw no armed men; a great many colored men voted the democratic ticket..	254-255
Ladd, deputy United States marshal, said it was a quiet election; no arms at the polls.....	255
Hunter's reputation is bad; Rutherford's is bad in every way; so are Henderson's and Wheeler's.....	256-257
Cross-examination on reputations: Has heard only white men and democrats speak of these men.....	258-259
Two-thirds of the whole vote of the county cast at the four boxes in Laurens.	260

GEORGE W. BUSH—AIKEN COUNTY.

Personal record, (age, residence, &c.; is a democrat).....	261
Owned the plantation where the Ellenton affair occurred.....	261
Negroes with a gun upon shoulder and a bag upon the other.....	262
Crops stolen; stock killed; has to guard his property every night.....	262
Whites as well as negroes are engaged in this marauding.....	263
Lives between Rouse's Bridge and Union, or Double, Bridge.....	263
David Bush threatens retaliation for the shooting of Peter Williams.....	263-264
Bush halloos to three white gentlemen; they did not notice him.....	265
Saw men riding toward Harley's; has a talk with Bush, and gives him advice; witness is always armed.....	265-266
White parties passing alarmed the negroes; witness advises them to remain at home.....	267
Goes with about one hundred and fifty whites to Rouse's Bridge; a shot is fired at them.....	268-269
The whites retire a short distance; two shots fired; saw Nelson Bush (colored) wounded.....	269-270
A negro woman sent to propose a conference with the negroes.....	270
Takes the warrant for the arrest of Pope to show them the whites were acting by authority.....	270
Went to the place of meeting; no negroes came; saw some negro spectators..	271
The negroes send a messenger; the conference; Col. A. P. Butler was spokesman.....	271-272
Butler shows the warrant for Pope; negroes say that Pope is not with them..	272-273
It is agreed that both parties disperse; whites send couriers back.....	273
Couriers report that the negroes have received re-inforcements and arms....	274
Went home; about dark heard firing at Union Bridge.....	274
A negro woman reports 2,000 negroes under arms; her threats.....	275
Becomes alarmed and returns to his home to guard his property; a white party gallops away.....	275-276
Whites again march on Union Bridge; witness does not go.....	277
Made no count of negroes with arms; whites had no political motive.....	278-280
Never made any threats to Dave Bush; characters of Nelson Bush and others are bad.....	281-282
Election at Boyd's store perfectly quiet; all voted who were eligible.....	282
Cross-examination as to the bad character of colored republicans.....	282-284
Thinks fifty negroes had arms at Union Bridge; knew they had sixteen-shooters.....	284-285
Saw but one dead body; saw a box with worms working out in the ground..	285
Names six negroes who were proscribed by the white s.....	286
Witness has been arrested on warrants from Gloster Holland for larceny.....	286-288
Has been arrested for participation in the Ellenton assassination.....	288
Recites other troubles with Gloster Holland and negroes.....	290-291

PAUL F. HAMMOND—AIKEN COUNTY.

Personal record, (age, residence; is a planter and a democrat).....	291
Went to Hurley's; saw Peter Williams who was shot; he lived nineteen days	292
Went to Rouse's Bridge; found about one hundred and twenty armed men there anxious to negotiate.....	292
A negro comes over and proposes a conference; it is held.....	293
Pope demanded; they said he had not been there; both parties to disperse..	293
The blacks said they had gathered to protect themselves.....	294
Sunday night the whites were again alarmed by reports of negro outrages...	294
Whites camp at Ellenton Monday night to guard the town.....	294
Tuesday they march on Rouse's Bridge; meet the Federal troops.....	294-295

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Had no political motives in all that he did; thinks no white man had.....	295
Never threatened any one; is opposed to proscription in any form	295-296
There were 275 whites in his party; Colonel Butler nominally in command....	296
Thinks there were seventy-five to one hundred negroes in the swamp; judged by their cheers	297
Recognized the command as being under Butler after Sunday	297
Is under bonds for participation in the massacres	298

M. SOLOMON—AIKEN COUNTY.

Personal record, (age, residence; a merchant and a democrat)	298-299
Wash. Bush warns negroes at witness's store; Joe Bowers's threats to burn gin- houses, &c.	299
Bryant Council comes for advice about gathering negroes to fight the whites.	299
A party start to gather up guns; Simon Coker's 52 guns	299-300
A party of negroes drill; kept a list in Hebrew; his clerk copied it	300
Threats by various negroes; names of whites who passed toward the bridge..	301
A negro disarms a white man; the gun is returned; Elinore shot at by Bush and Kelsey	301
Negroes fire at the whites; bridge torn up; goes back to the store	301-302
Saw a light Sunday night; heard a drum Monday morning	302
Negroes march up; threaten to shoot witness's clerk; he begs and they let him off	302-303
A committee searches for Woods; witness gives whisky and the crowd goes toward Ellenton	303
Was on the jury of inquest on Bryant's death; peace until evening	304
Whites again commence passing toward Ellenton	304
A colored democrat shot by colored men	305
Could not tell how many whites he saw, because so many were passing	305
Explains why list of guns was afterward added to list of names; the list....	306-307

J. T. BUTLER—AIKEN COUNTY.

Personal record, (residence, age; is a democrat)	308
Saw three colored men July 3; Dave Phillips cursed witness	308
They were armed; threaten to shoot witness; left them while they were cursing	309
Getzen and witness in Hamburg July 4, in a buggy	309
Saw the company drilling; did not notice where he was driving	309
Horse was lazy; boy beat his drum under the horse	309
The militia curse witness; they finally let him drive through	309
Could not have passed the company owing to a ditch	310
Did not curse the company; the trial of Dock Adams; Rivers said they were no militia	310
Violent conduct of Adams and Attaway; witness carried his rifle to court....	310
Trial put over to Saturday; went to the court Saturday with his father and General Butler	311
The negroes did not come; after that they fired on the whites	311
Sixty or seventy whites present, armed with pistols	311
Witness fired two or three times; General Butler had nothing to do with the affair	311
Witness went home with his father, General Butler, and Sherood	312
Only Merriweather, Cook, and Parks had been killed at the time Butler left..	312
Heard others had been killed next morning	312
Never provoked the negroes	312
The trouble was caused by the negroes stopping him, and afterward firing on them, from the armory	312
Was arrested on the charge of murder; gave bonds for his appearance at court.	312-313
Had eighteen loads in his gun; cannot tell how many loads were in it next morning	314
Could not have passed the militia company without backing his buggy	315
The negroes cursed him; never opened his mouth in reply	316
Has talked with General Butler a good many times about this affair	317
Had heard they were to be mobbed; about sixty neighbors went to protect them	317
Witness's memory is so poor he cannot recollect names of persons present....	318
Cannot estimate anything, or show anything on the maps, or recollect any- thing	319-323

HENRY GETZEN—AIKEN COUNTY.

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Personal record, (age, residence ; is a farmer and a democrat).....	324
Goes to Hamburg ; meets the company ; it obstructs the way.....	324-325
Dock Adams and his men curse and threaten ; Rivers promises to investigate.....	325-326
The trial ; Dock Adams arrested for contempt ; the trial put over.....	326-327
Threats by Attaway and some negro women ; the Butlers gather on Saturday.....	328-329
Tommy Butler had his rifle ; witness had a carbine ; all had pistols.....	329
Was at the justice's office ; no trial had ; court broke up in confusion.....	329-330
About five o'clock fifty or sixty white men came in from the country.....	330
At very near dark a shot was fired from somewhere ; and after that there was confusion.....	330
"There was such a crowd of Georgians over there, and rowdies".....	330
"There were a great many guns fired ; went home about twelve o'clock".....	331
Saw Merriweather, Cook, and Parks after they were killed.....	331
Has been bound over to appear at court ; never threatened any one in his life.....	332
Names men who came from six to fifteen miles.....	332-333
Did not see General Butler after 10 o'clock ; cannot recollect who he saw there.....	334
Did not see Attaway at all ; saw Jim Cook's body ; started for home at 12 o'clock.....	335
Had talked with General Butler and others frequently about this affair.....	335-336
Fired at the negroes in the Sibley building ; heard the cannon fired.....	336
The whites arrived in Hamburg about 5 o'clock ; went to Ellenton.....	336, 337
Witness "done the best he could" in Hamburg ; was arrested after leaving the presence of the committee for intimidation.....	338

JOHN M. LEITH—ABBEVILLE COUNTY.

Personal record, (age, residence ; is a planter and a democrat).....	339
Was at Long Cane precinct election-day ; everybody voted as they pleased...	340
No display of arms ; could have seen any demonstration.....	340
Assisted as clerk in counting the votes.....	340

ROBERT E. CARROLL—AIKEN COUNTY.

Personal record, (age, occupation, &c.).....	340
Recollects the Hamburg massacre ; saw armed negroes going toward Ham- burgh.....	341
Knew Jim Stevens ; saw him go toward night and return about 12 o'clock....	341

J. P. MEALING, (RECALLED.)

Has known Louis Schiller, of Hamburg, for twenty years.....	341-342
His general reputation is bad ; could not believe him on oath.....	342
Has heard Schiller's mother and T. P. Shaw speak of his bad character.....	342-343

T. P. SHAW—EDGEFIELD COUNTY.

Personal record, (age, residence ; is a farmer).....	343
Took a message from Robert Butler to General M. C. Butler, July 6 or 7.....	343
He wished General Butler to assist in a case next day.....	343
General Butler said he would go if he could get a buggy.....	344
Harry Mays's reputation is very bad ; tells what Stephen Mays and others said.....	344-345
Was informed that he was summoned to impeach Mays.....	345
Witness only swears to what others told him.....	345

H. A. SHAW, (RECALLED.)

Knows Louis Schiller ; would not believe him under oath.....	346
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R. J. BUTLER, (RECALLED.)

Knows Louis Schiller ; don't think that anybody who knows him would believe him.....	346
Witness used to keep a pack of dogs ; "used to run everybody, white or black".....	346
Negroes have killed the dogs ; have caught children that have run away.....	347
Had quite a reputation at that business.....	347

COLEMAN BEATTY—RICHLAND COUNTY.

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Personal record, (age, residence; is a farmer and a colored democrat).....	347
Did all he could for the democratic party; spoke at various places.....	347
Knows of a good many negroes who voted the democratic ticket.....	347
Negroes wanted to join democratic clubs, but were afraid of their own people.....	347-348
Some negroes swore at him; has been badly disturbed while speaking.....	348-349
A policeman tried to keep him from going in to the polls to vote.....	349
Is a barber; cleans up gentlemen's rooms, and shaves them.....	349
Never suffered any political injury; has been badly scared.....	350
The policeman who stopped him has since been indicted.....	351

W. E. FLINT—RICHMOND COUNTY, GA.

Personal record, (age, residence, and occupation).....	351
John Thomas is a brother-in-law to Dock Adams; he lived in Augusta.....	352
Saw him armed with a pistol; said he was going to have a little fun to-day..	352
Thomas repeats the same idea to others; went to Hamburg, stopping on the bridge.....	352
Heard Attaway order the men up into the drill-room.....	352
Heard him order the men to shoot Butler or any of his crowd.....	352-353
Heard a negro boy say that General Butler was to be killed.....	353
Did not hear any gun or the cannon; was at home asleep.....	353-354
Has talked with General Butler; he wrote down this statement.....	354

WILLIAM WILSON—ABBEVILLE COUNTY.

Personal record, (age, residence; a farmer and a democrat).....	354
Was supervisor of election at Calhoun's Mills; was there the night before election.....	355
About twenty-five white men were there; negroes marched up; each had a club.....	355
Negroes crowded whites away and voted; Heard had a personal difficulty..	355
The trouble was not political; does not know that Georgians voted.....	355-356
Greater part of the voting was over when the trouble occurred.....	356
Saw only one gun in the morning; one pistol was drawn.....	356
Saw Heard vote; colored managers would not vote.....	356-357
Vickers, a white man, shot; but few men in Cade's company; saw no arms..	357
They made no effort to drive people away; republican managers were not compelled to sign a certificate.....	357
Saw no pistol exhibited; only one man asked for the certificate.....	357
Saw no one leave the polls; plenty of time to vote; did not see any one knocked down.....	357
Told his people that there was such a thing as proscription going on.....	358
The men who were most violent and troublesome were not to be hired, &c...	358
Cade's character, and his democratic club; he only asked for the certificate..	359

HENRY MEETZE—LEXINGTON COUNTY.

Personal record, (residence, profession, &c.)	359
Chairman of democratic executive committee for his county.....	360
Took an active part in the campaign; had no trouble in the county.....	360
Is a State senator; republicans defeated a registry law.....	360

LIEUT. W. A. MILLER—LAURENS COUNTY.

Personal record, (age; is a Regular Army officer, &c.).....	360-361
Was at Clinton on election-day; there was no violence there.....	361
When a colored man voted there was a general hollering.....	361
Men in red shirts would come galloping in, and ride around the square hollering.....	361
Saw no intimidation at the polls; knows nothing of what took place outside.	361
When not at the polls was with his men; could not see them from their quarters.....	362
Himself and wife have been insulted by whites while traveling.....	352
A colored man once reported a rape on his step-daughter; he said officers dare not issue warrants.....	362-363
Two hundred men were riding and yelling in Clinton the night before election.	363
Heard guns fired during the night, but did not notice it.....	363

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Has been told by colored people that if they voted republican ticket they must leave	364
Colored men who had been badly whipped came in in September for protection	364-365
A number of colored people were afraid to go to the polls	365
Keeps aloof from politics; heard whites speak of the rape case	366
Very little authority of any kind in Laurens County	366

THOMAS YOUNG—ABBEVILLE.

Personal record, (age, residence; is a miller and a democrat)	367
Organized a colored democratic club, and voted 161	367
They voted the ticket freely at Lowndesville; saw no violence	367
Guffin tried to interfere with colored democrats; gentlemen interfered	367-368
Kept seventy-five colored voters in the academy and in store-house one night	369

T. C. MAHAN—OCONEE COUNTY.

Personal record, (age, residence; is a Catholic priest)	370
Has passed through a large portion of the State, and saw much of the white people	370
Never experienced such forbearance and peaceableness as the whites show toward the blacks	370-371
Colored men on his plantation were afraid to vote for Hampton	371
Think all in his church are democrats	372

JAMES KENNEDY—RICHLAND COUNTY.

Personal record, (age, residence; is adjutant-general of the State)	372
Is ordered to produce certain papers relating to the Hamburgh militia company	372
Some are not on file; is told to state facts about re-organization of the company	372-373
Section 9 of act of 1874 read; muster-roll of company bears date of April 5, 1876	373
Roll contains eighty-four names; was filed about 1st of August	374
No commissions have been issued to officers of company because roll was not filed	374-375
No paper on file that shows re-organization of this company except this roll	375-376
Witness has been in adjutant-general's since 1870; gives history of the company	376-377
Eighty stand of arms and 2,000 or 3,000 rounds of ammunition issued in 1870	377
No ammunition issued since; commissions were not issued to the lieutenants, for they held over	377
Knew Dock Adams was captain because Colonel Williams asked for his commission	378-379
Is examined at length about arms and ammunition issued in the State at large	380-381
No dispute has ever arisen about old officers holding over	382

LIEUT. FRANK H. BARNHART—RICHLAND COUNTY.

Personal record	382
Was at Calhoun's Mills election-day; had ten men	382
A row between deputy United States marshal and some men from Georgia	383
The marshal assaulted with rocks; witness stopped the assault	383
The trouble commenced right at the voting-place; whites started to draw pistols	383
Saw nothing especial during the canvass; there was some alarm among the blacks	384

J. M. ENGLISH—RICHLAND COUNTY.

Personal record, (age, residence, &c.)	385
Was at Garner's precinct, on the Wateree River, on election-day	385
A colored man voted republican ticket because he was afraid to vote the democratic ticket	385-386
Attempts to prevent colored men from voting democratic ticket	386-387
Knows of no other attempts by republicans to overawe democrats	387
Told their hands that they show favors to those who went for their interests	388

B. F. WHITEMORE—DARLINGTON COUNTY.

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Personal record, (age, residence ; is a State senator).....	388
Took a part in the campaign ; there was general intimidation throughout the county.....	388
How intimidation was effected ; a republican meeting called at Timmons ville.....	388
Democrats demand half of the time ; demand is refused.....	389
Republicans retire to a school-house to hold the meeting ; 2,000 present.....	389
Democrats attend 1,500 strong ; their purpose ; letter from one leader to another.....	390
"Come down ; bring all you can ; we intend to have a division, peaceable if we can, and forcible if we must".....	390
Desperadoes, completely armed, surround the meeting.....	391
Democratic speakers openly stated that all republicans were to be removed from the plantations.....	391
Name men who made these threats ; witness's friends guarded his house.....	392
Republicans compelled to vote democratic ticket at box No. 1.....	393
"They proposed to carry the election that day".....	393
There are 2,200 democratic to 3,700 republican votes in the county.....	393
Republicans only had at last election a majority of 800, a reduction of over 1,000.....	394
Was in Congress ; resigned because he could not get a fair hearing.....	394
Has been State senator ever since ; term expires in 1878.....	394

CAPT. R. E. KELLOGG—EDGEFIELD COUNTY.

Personal record.....	395
Was at Edgefield election-day ; General Brannan was in command.....	395
Was ordered with his men to box No. 2, which was reported closed.....	395
While on the march was passed by armed and mounted white men.....	395
United States marshal reported that mounted white men were obstructing the polls.....	395-396
Did not see a single white man who was not armed.....	396
Sent Lieutenant Hoyt to open a passage ; found the polls very difficult of approach.....	396
Had to request men to move their horses ; General Gary's threats.....	396
The men were cursing and yelling "Shoot !" "Shoot !" "Shoot !".....	396
They had pistols drawn and thumbs on the hammers.....	396
Lieutenant Hoyt could not get through the crowd ; the alarm of the negroes.....	396-397
White men had bludgeons and ax-helves, besides pistols.....	397
Advised the negroes not to shout, but to vote quietly and get away.....	397
Polls closed at six o'clock ; a large number of negroes claimed that they had not voted.....	397
Many saw they could not vote and commenced leaving at five o'clock.....	397
"Did not see a negro whom I knew to be armed".....	398
Negroes orderly and quiet, except shouting for the candidates ; witness stopped that.....	398
The night before election, never saw so much disorder, drunkenness, as then..	398
Pistol-firing during the night ; hymn-tunes interspersed with swearing.....	398
General M. C. Butler wanted to make a speech to his men ; told him he might if he omitted politics.....	399
After Lieutenant Hoyt opened the way, the voting was steady until the polls closed.....	399
From what witness saw should say it was slow voting.....	400
His wife wrote a letter which was published in an Ohio paper.....	400
Witness had nothing to do with it ; witness takes no sides in politics.....	400
Voted against permitting negroes to vote in Ohio in 1867.....	400

HENRY W. PURVIS—RICHLAND COUNTY.

Personal record, (residence, age, &c.).....	401
Was adjutant-general of the State ; gives history of the Hamburgh militia company.....	401
Adams was elected captain, 1872 ; was never commissioned under the re-organization.....	401
The commission was a mere matter of form.....	401
General intimidation of all republicans ; how it is done.....	401-403
Is cross-examined as to the re-organization of the company as shown by the records.....	404-405
Never issued any ammunition to the company ; issued ammunition to General Smalls.....	405

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Issued arms to Charleston police; issued no other arms to the militia	405-406
No arms nor ammunition ever sent to Newberry marked "Shoemakers' tools"	406
Members of the regiment do not get guns when they fall into hands of dem- ocrats	406
Company A, commanded by Dock Adams, was a legally-organized company..	406

W. R. MARSHALL—FAIRFIELD COUNTY.

Personal record, (residence, age; is a trial-justice).....	407
Intimidation, and how practiced; is offered the protection of a rifle-club.	407-408
The captain stated it was organized for protection; no outrages had been committed	408
The effect of these organizations was to frighten and alarm colored people....	408
A company from Kershaw rides into Ridgeway; a volley fired as a salute.	409
Was fired on at night; since, remains at home after dark	409
Has been a member of the republican party since its formation in the State..	409-410
Threatened while passing quietly along the street	410
Wife has died from the effects of continued excitement	410
Is refused credit at the store because he is a republican	410
Nothing but the timidity of the negro has saved his life during the campaign.	410
Presence of soldiers at the polls preserved the peace	411
It is unsafe for a white republican to express his sentiments	411
Was a captain of horse artillery in the confederate army during the war	411
A great reduction of republican majority at last election	412
Witness thinks that he knows what rifle-clubs mean when he sees members shoot at him	412-413
Witness took the census of the county; states the proportion of white and black votes	414-41
R. S. Desportes obliged to refuse credit to witness	41

J. S. R. THOMPSON—SPARTANBURGH COUNTY.

Personal record, (age, residence; a lawyer and a democrat).....	417
Was commissioner of election; had a number of hands; did not intimidate them	417
Attended a meeting; saw Flemming pushed off of the steps	417-418
He said he was not hurt; saw no violence whatever at the election	418
How managers are appointed and returns made and canvassed	418-419
No violence during the canvass; the republican commissioners signed returns without hesitation	419-420
No threats or violence on the part of democrats during the canvass	420
Witness gives the excess over the usual democratic majority	420-42

GEORGE W. NICHOLS—SPARTANBURGH COUNTY.

Personal record, (age, residence; is an attorney and a democrat)	421
Was candidate for probate judge; attended democratic meetings	421
No violence at any of the meetings; all passed off quietly	422
Was at Woodruff's on the day of election; saw Darling there	422
No interference with voters; every one who applied could vote	422
Explains the interference with Flemming at the joint meeting	423
Flemming's character is bad; he drinks, and fights, and carouses	423-424
Has had two fights with democrats of high character	424

CAPTAIN JAMES STEWART—RICHLAND COUNTY.

Personal record	424
Was at Laurens during the election; saw no trouble; had no call for his troops	425

LIEUT. GEORGE S. HOYT—RICHLAND COUNTY.

Personal record	425
Was at box No. 2, Edgefield Court-House, on the day of election	425
Was directed to take four men to the polls to force a way for voters	426
Found horsemen, armed with clubs and pistols, drawn up around the entrance as closely as could be	426
They tried to prevent negroes from voting; saw a voter struck over the head with a club	426

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The man who struck was a democrat; the man was knocked off of the platform.....	426
The mounted men were armed with revolvers without exception	426
Before election, saw armed rifle-clubs assemble to attend a republican meeting and divide time.....	427

MADISON CRAWFORD—MARION COUNTY.

Personal record, (residence, age, &c.).....	427
A party of whites rode up to his place; they dismounted and let down his fences	428
Went down to see what the trouble was; is ordered to halt; runs, and is pursued and fired upon	428
Escapes to the branch; whites enter his house; threaten and beat negroes there	428
His wife's son had been shot at his brother Simon's house the night before....	428-429
Went to see his brother Simon's house; doors were broken down and other damage done.....	429
Colored people go to the swamps through fear of the rifle-clubs.....	429
There were soldiers at Marion election-day; there were peaceable times there	430
No trouble since election; republicans have been driven off of farms	430
Witness lives on his own land; knows four or five that have been compelled to move	430
They moved because they voted the republican ticket.....	430
The whites were after his brother because he was a republican leader.....	431
They would have shot him if they had a fair chance.....	431
They only shot two; the man that died and a boy.....	431
They shot at me because I was a republican; was never charged with a crime.....	431

ROSE MOODY—MARION COUNTY.

Personal record, (age, residence, &c.).....	432
Lives with Simon Crawford; whites come and call for a light.....	432
Crawford sends it out by his nephew; whites knock it out of his hand.....	432
The sheriff leads the crowd; he has no warrant; don't want any for a radical nigger	432
Crawford comes out to the sheriff, who says his business is to make him change his politics	433
Going to make him change his politics or kill him.....	433
The whites "came back the next Tuesday night and shot among us all".....	433
A man and a boy shot; a pistol put at witness's head.....	433
Let her go; shot at her; all go to the swamp; whites return and destroy Crawford's property.....	433-434
Couldn't tell how many whites were there; was too scared to count.....	434
Archie Burnett died; Keith Crawford was shot through the thigh; York Crawford through the shoulder.....	434
Don't know whether the sheriff is a bad man; knows he kicked up mightily.	435

KEITH CRAWFORD—MARION COUNTY.

Personal record, (age, residence, &c.).....	436
Was living with Simon Crawford; Sheriff Berry and crowd came to Crawford's	436
Their threats; they leave and come back the following Tuesday night.....	436-437
Archie Burnett made to tote water; made him turn his back and shot him..	437
Witness taken into the road and shot through the thigh.....	437
Thinks they shot him to keep him from being a witness	437
Simon asked sheriff if he had a warrant; he said no, and he didn't want any.	438
They did not charge him with insulting a white lady.....	438

WILLIAM A. HAYNE—MARION COUNTY.

Personal record, (residence, &c.).....	438
Was a candidate for the legislature; stumped the county.....	438
Rev. Mr. Thompson, captain of a rifle-club, demands a division of time at a republican meeting.....	439
Violent and threatening conduct of rifle-clubs on other occasions.....	439-440
A night encounter with members of a rifle-club; their violence and threats...	440-441

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Men threatened that if they voted republican ticket they would be put off the plantation	441
A report that Crawford was coming to burn the town of Marion.....	441-442
Stores and residences were closed, schools dismissed, and the rifle-clubs assembling.....	442
Simon Crawford rides in in a gig and wants warrants for the men who did the killing	442
Negroes threaten to protect themselves; conferences to promote good order..	442
Crawford advised to keep out of the way; the sheriff drunk when he did the shooting.....	443
No crime charged against Crawford, except that he was a leader.....	443-444
A democratic grand jury refused to find a bill against the murderers.....	444-447
Witness always advocated fusion of the races; could not support a straight-out democratic ticket.....	446-447

R. B. ELLIOTT—RICHLAND COUNTY.

Personal record	447-448
Is major-general commanding the militia of the State.....	448
Gives a history of the Hamburg company, and shows official records.....	448
Was chairman of the republican State committee.....	453
Proposition for joint discussion between General Hampton and Governor Chamberlain.....	454
Proposition accepted for ten places; five to be named by each party.....	454-455
Democrats want to name the order of all of the meetings.....	455
A committee of conference proposed to arrange details.....	455-456
The chairman of the democratic committee, Mr. Haskell, does not think a committee necessary	456
Witness submits a draught of agreement for joint discussion to Mr. Haskell..	456-457
Witness accepted the democratic dates for meetings in the low country.....	457
Mr. Haskell objected to accepting the republican appointments in the up country	457
Witness explains the terms "up country" and "low country"	458
Proposed to refer the matter to the respective committees.....	458
Offered to reduce number of meetings to eight, and let them name six places..	458, 459
Democrats want to name all the dates and places.....	459
Republicans refuse to consider the matter further.....	459
Democrats propose to send a substitute for General Hampton to republican appointments	460
This proposition was declined as utterly inadmissible.....	460
In the canvass democrats resorted to every species of intimidation.....	461
Heard General Ferguson explain the Mississippi plan; it pleased the people..	461-462
General Gary indorsed and commended Ferguson; said the plan worked well in Edgefield	462
Haskell's speech made Ferguson's seem mild.....	462-463
Haskell and armed men overawe republican meeting at Gadsden	463
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Cross-examination as to organization of Dock Adams's company.....	468-470
Haskell said of Chamberlain: "A mean, miserable, lying, sneaking cur, who has sneaked off to Washington to the man Grant".....	470
Cross-examined as to Governor Chamberlain's record in his own party.....	471
Witness never assailed the integrity of Governor Chamberlain; such reports utterly false	471
Condemned Chamberlain's action regarding Judges Moses and Whipper.....	472
Table of last and other elections accepted, and put in documentary evidence..	472-473
In three counties separate lists of black and white voters were not kept.....	473
In Laurens the question at election was purely a race issue.....	473
Shows that there are 1,040 colored votes to be accounted for.....	473-474
In Edgefield there are 1,293 colored votes to be accounted for.....	474
General Hampton received, in Edgefield, 3,545 more votes than white votes..	474
He received 2,252 more votes than are white males and colored voters not accounted for	474
Election statistics for the State.....	475-476

FRANK H. EATON—RICHLAND COUNTY.

Personal record, (residence; is a United States commissioner).....	476
Was in Barnwell County in October; as an officer conversed with leading democrats	477

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eneral intimidation; a man arrested for an attempt to shoot a republican speaker on the stand.....	477
He is released and renews his threats, the night before election, at Laurens Court-House	478
"Yelling, howling, cursing, and discharging of guns and pistols".....	478
The town full of armed men in red and blue shirts.....	478
Two hundred armed men surround the polls; arrests on frivolous charges....	478-479
How intimidation—within the law—was conducted at the polls.....	479
Colored republicans left without voting; witness is threatened.....	479-480
Goes to the United States soldiers for protection; takes a guard to the railway station	480
Cross-examined as to his official acts in Barnwell and Laurens.....	480-483

JAMES C. THOMPSON—RICHLAND COUNTY.

Personal record, (residence, occupation, &c.).....	483
Attended a meeting in Edgefield as United States commissioner.....	484
The town filled with rifle-clubs; General Butler leads 1,600 around the meeting	484
General Butler was in command; the men were under excellent discipline and control	485
Tells how the rifle-clubs broke up the republican meeting at Newberry.....	485
Was editor of the Union-Herald; left it rather than support R. B. Elliott....	486
Did not arrest any one while attending political meetings.....	488

JOHN A. LYLES—CHESTER COUNTY.

Personal record, (age, residence, &c.)	488
Was told by democrats if he voted republican ticket he should not have employment	488
Has been denied work since election; was told he could not get any more....	488
Democrats used bogus republican tickets at the polls.....	499
Has been arrested in Chester for intimidation of colored democrats.....	489

HENRY SPARNICK—AIKEN COUNTY.

Personal record	490
Was probate judge of Aiken County in July last.....	490
Was counsel for Attaway and others July 6; an excited crowd was in attendance	490
R. G. Butler was indignant that counsel should be employed.....	490
Witness saw that the process was illegal, not even a summons.....	490-491
Withdrew as counsel, for an appeal could be taken; trial then proceeds.....	491
Postponement until Saturday; goes there to help quiet matters.....	491
R. G. Butler's excited and violent manner; General Butler arrives; men come in.....	492
Has a conference with General Butler; he wants the negroes to surrender their arms and apologize.....	492
Officers afraid to go to General Butler on account of armed men present....	493
Rivers starts alone to confer with General Butler; advised the officers to go; thinks they would have been safe.....	494
Witness used his influence to keep colored men off of the streets.....	494
They were much alarmed; witness thought it best to leave Hamburg.....	495
As he was leaving saw horsemen take positions as pickets.....	495
Witness, thinking it useless to return to Hamburg, took a train and went home	495
No obstruction to a buggy passing the company in the street.....	497
Examined the ground carefully and thinks the ditch did not reach the well...	497
Attaway's character was that of a straightforward, truthful man.....	498
Had many transactions with Attaway; always found him pleasant, but a man of spirit	498

T. E. CLOUD—FAIRFIELD COUNTY.

Personal record, (age, residence; is a merchant).....	498
Knows Warren R. Marshall; his credit is not good; has long been owing witness	498

Personal troubles between Marshall and Smart; Marshall says he was fired on	499
Evidence that no firing took place; politics had nothing to do with the matter	499-500
No intimidation except by colored republicans on democratic negroes	500

B. W. EDWARDS—DARLINGTON COUNTY.

Personal record, (age, residence; is a lawyer and a democrat)	500
Took an active part in the campaign; democrats had a peace policy	501
Had a democratic club in every town; knows Whittemore; heard him speak	501
He told the blacks that they would be made paupers and remanded to slavery	502
Whittemore also advised the negroes to come prepared to take care of themselves	502
Had information that there was going to be trouble in Timmons ville	503
Witness and others rode down without invitation from any one	504
Saw negroes loading a wagon with arms; saw them armed	504
Saw but thirty to fifty guns in the hands of white men; only fifty mounted men went to the speaking	505
There may have been fifteen hundred democrats in town; not true that five hundred rode to the meeting	505
One hundred colored republicans drawn up with arms in their hands	505-506
Gordon (republican) said, "We would have cleaned them out"	506
Intimidation of colored democrats by women	507
Never threatened to discharge republican voters; never heard the threat made	507
Simply proposed not to rent their lands to republicans	508
Republicans stored arms near the polls; democrats would have been danger if armed	508
Has seen more shooting by republicans than by democrats	508-509
General turbulent conduct of colored republicans; knows of repeating at the polls	509-511

D. F. BERRY—MARION COUNTY.

Personal record, (age, residence; is sheriff and a democrat)	512
Was never in jail for theft; was in jail for assault and battery	512
From information he had, went to Simon Crawford's house to tell him what he had heard	512
Crawford said the tales were false, and explained the object of the club	512-513
Shook hands with Crawford, and parted friends, as witness thought	513
On following Sunday there was a great excitement in town among the whites	513
Crawford comes into town with a body-guard; they were not armed	513
Peace-warrants issued for Crawford; goes with posse to arrest him	514
Is fired upon; one of the posse wounded in the shoulder	514
A colored boy brought out of a barn; he attempts to escape; witness fires and wounds him	515
The posse again fired on and a colored prisoner mortally wounded	515
Did not find Crawford; arrested him afterward near Marion	515
Crawford's reputation is bad; he is a violent fellow	516
Don't know of any store-house or wine-house; the posse did not touch anything	516
Witness and Campbell were arrested and bound over to appear in United States court	516-517
Gin and mill-houses burned since the trouble; Isaac Butler, colored democrat, was beaten	517-518
Thinks he was justifiable in shooting the boy when he resisted by trying to run away	518-519
Had no warrant for the boy; cannot recollect how many men went with him	519-520
Captain Evans was captain of a rifle-club; most of the men were members	520-521
Names of men who were present; thinks he asked Evans to go with him	521-522
Was not recognized as a democrat when elected	523

JOHN FREYER—AIKEN COUNTY.

Personal record, (residence, was corporal in the company)	523
Was in Hamburg July 8; names of whites he saw there	524
Every white man he saw was well armed; went into armory for protection	524
Late in the evening the answer came, "The general says we must give up our arms"	524
General Butler places his men; whites commenced the firing	524-525

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Not all in the armory had arms; many had left their guns at home.....	525
Adams hears the order to bring the cannon; gets his men out.....	525
Attaway became alarmed; took part of the men, who broke and hid among the houses	525-526
Went into Schiller's printing-office; is captured there; threats of the whites.....	526
Is taken to the dead ring; names of men in it; Attaway threatened.....	526
Getzen, Tom Butler, and others, take Attaway out and shoot him.....	527
Dave Phillips, Hamp Stevens, and Minyard are killed; Curry escapes; is fired on as he runs.....	527
"What better fun do you want than that, by God!" "Let's shoot after them like rabbits"	527-528
All of the prisoners made to get on their knees and swear not to bear witness..	528
The prisoners run and are fired on; Willis Hammond wounded.....	528
Men were all out of the armory when the cannon came.....	528
The first shot was fired from the abutment of the bridge.....	529

MEYER WELDEN—EDGEFIELD COUNTY.

Personal record, (residence, age, &c.)	529
Was at Edgefield, box No. 1, election-day; the polls crowded by whites	530
Went to box No. 2, could not vote there; came back to box No. 1.....	530
General Butler had placed red-shirts around the polls; his threats.....	530
Went back to box No. 2, could not vote; went home.....	530
Did not vote at box No. 1 because "Mr. Scott Shepherd drew his pistol" ..	531

DOCK MARTIN—EDGEFIELD COUNTY.

Personal record, (residence, &c.)	531
Was supervisor at Red Hill precinct; found the box surrounded by democrats.....	531
Was told that he would be mobbed; democrats clustered around, and witness left.....	531
Left for fear; knew his life was in danger; about one hundred armed men around the box.....	531-532
Came to Edgefield; was once stopped by General Butler; finally voted at box No. 1	532
Red Hill is thirteen miles from Edgefield; a number came with him.....	532
Was offered \$3,000 to carry the township for the democrats.....	533

WILLIS ADAMS—EDGEFIELD COUNTY.

Personal record, (residence, &c.)	534
Was at Edgefield, box No. 2, (the school-house,) election-day.....	534
Was struck over the head by a club, (showing the scar).....	534
Saw others who had been struck; witness voted after he was struck.....	534

GEORGE GILES—LAURENS COUNTY.

Personal record, (residence, age, is a carpenter and a colored democrat).....	534-535
Voted at Laurens Court-House of his own free will; it was a quiet election..	535
Belongs to a democratic club; does not know that any colored democrat was abused by republicans	535
Democrats furnish him with all of the work he has.....	535

D. B. COTTON—EDGEFIELD COUNTY.

Personal record, (age, residence, &c.)	535
Was clerk of the board of managers at Edgefield, box No. 1.....	536
The box was to be placed under the arch; Glover, democratic manager, carried it up-stairs	536
The democrats commenced voting first; they also obstructed the way to the polls.....	536
Four or five hundred voters came from box No. 2; they are turned back.....	537
Could easily see out from where he was seated.....	537

W. H. GILCHRIST—EDGEFIELD COUNTY.

Personal record, (residence, age, &c.)	538
Was manager of election at Liberty Hill precinct	538
Democrats voted two tickets at a time; a Georgian voted.....	538
Knows of men who have been turned off their places since election	538

ARCHY WELDON—EDGEFIELD COUNTY.

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Personal record, (residence, &c.)	539
Went to Edgefield, box No. 1; could not vote; went to box No. 2	540
John Swearingen would not let him vote; went back toward box No. 2	540
Was turned back there, and again returned to box No. 2	540
Was again threatened by Swearingen; left the polls; was assaulted	540
Was warned to leave the township or be murdered	540
Is one of five negroes who own 250 acres of land	541
Has been a member of the legislature, and again a candidate; was beaten	541
Only nine republicans voted at Collier's; about one hundred and forty negroes follow the democratic party	542

LAWRENCE CAIN—EDGEFIELD COUNTY.

Personal record, (residence, age, &c.)	542
Was chairman of the republican county committee	542
History of the Edgefield meeting which was broken up	542-543
General Butler said that he could take twenty of his men and whip every nigger there	544
Democrats demand that their speaker shall address a republican convention ..	544
The convention is adjourned; the speech was made; witness replied	544
General Gary demanded half of the election-managers	544
Dare not send managers out from the court-house as formerly	545
Parties whipped; threats of extermination; witness dare not canvass the county	545
Received threatening letters; submits them to the committee	545
Thought that if they treated Governor Chamberlain as they did it was not wise to canvass the county	546
General Butler's threats to witness; names of men who heard them	546-547
Riotous conduct of rifle-clubs at a republican meeting	547
Crowd in town the night before election; witness's house was stoned	547
Voters reported that they could vote at either box No. 1 or box No. 2	547-548
Major Kellogg sent to box No. 2; witness voted there	548
How voters were delayed and others allowed to vote	548
Hears that they are through voting at box No. 1, and sends some 400 voters there	549
These voters are turned back by horsemen deployed across the street	549
Witness goes to General Brannan to get assistance; is followed by General Butler	549
General Butler states that witness is the cause of all their troubles	549
He also said that the whites had given up box No. 2 and had a right to box No. 1	549
General Brannan said a way must be cleared to the polls	549
The republicans could not vote after all; many went to box No. 2	549-550
Witness was cursed and threatened by General Butler and others	550
Thinks that at least 700 or 800 failed to vote at all	550
Is contesting General Gary's seat in State senate; found that 900 men did not vote	550
House twice stoned in one night; wife, lately confined, was much alarmed ..	550-551
More disturbance on Wednesday than on election-day	551
Republican commissioners dare not come in to receive the boxes	551
Witness advised them to come; Jones at last came	551
The vote was canvassed Friday; many strangers were in town	552
The reputations of Graham, Williams, Bowen, Jones, and Henderson are good ..	552
Was not allowed to take a deep interest in the last election	553
Democrats complain of the last census; democrats took census 16 of the 21 townships	553
The men were competent; cross-examined in relation to affidavits of men who did not vote	554-556

MRS. DORA DENNIS—LAURENS COUNTY.

Personal record, (residence, &c.)	556, 557
About thirty or forty came there, all white men; they called for my husband ..	557
They told him to come out in the yard; when there they said they would kill him	557
"Every man to his place;" and they shot him down right at the door	557
John Kellett is the man who called him out and talked to him	557
Names of white men present; Dennis lived from Sunday until Tuesday	558
Dennis was shot because he was supposed to know something of Garlington, a negro charged with robbery	559

HARRISON HUNTER—LAURENS COUNTY.

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Personal record, (residence, age, &c.).....	559
Was deputy marshal at Hampton's box on election-day.....	559
Democrats said that if blacks voted republican ticket they couldn't get a home in the county.....	559
Threatened to shoot witness that day; a big vote on the white men's side....	559-560
Heard colored men saying they could not vote.....	560

PRINCE CHOICE—LAURENS COUNTY.

Personal record, (residence, age, &c.).....	560
Was visited by white men the night before election; they wanted my arms..	561
Was taken out and sat on a stump; asked me who I was going to vote for, &c.....	561
Told them I was not going to vote at all; they said, "Go on back".....	561
They had pistols, which they presented at me.....	561

JAMES SAXTON—LAURENS COUNTY.

Personal record, (residence, age; is a farmer and a democrat).....	562
Voted at Clinton; saw no arms and no violence; heard no threats.....	562
Is a class-leader and exhorter; church-members would not listen to him.....	562
Was cursed, and his life threatened, by republicans.....	562
Thinks four hundred colored men voted the democratic ticket at Clinton....	563
Has not been in his church in three months, just to keep from fusses.....	563
Lou Davis said it was funny to hear a democrat pray.....	563
Thinks five thousand whites voted at Clinton.....	564
Never saw a fairer election; about five hundred colored democratic votes were cast.....	564
Thinks about two hundred colored republican votes were cast.....	564
Is a democrat because "they are my help".....	564

HENRY GARLINGTON—LAURENS COUNTY.

Personal record, (age, residence, &c.).....	565
House visited Saturday night before election by about thirty men armed with pistols.....	565
Witness hid; they told his wife that if he voted they would kill him.....	565-566
The whites rode very often; they visited Turner Hammond.....	566
Voted at Laurens; dare not come back until a day or two after election.....	566

A. C. HASKELL RECALLED—THE STATE.

Did not make a speech on the 16th of August.....	567
The proposed joint discussion fell through, because General Hampton could not depart from his engagements.....	567
Furnishes statistics of elections and census to rebut testimony of R. B. Elliott	568-576
Adds copy of resolutions of democratic State convention, of March 15, 1876..	576-577

HENRY E. HAYNE—RICHLAND COUNTY.

Personal record, (is secretary of state, &c.).....	577, 585
Was at Edgefield Court-House in September; the rifle-clubs ride around Cain's house yelling.....	578
Rifle-clubs take possession of the speakers' stand; Butler and Gary open the meeting.....	578
Butler's and Gary's insults to Governor Chamberlain.....	578-579
Armed white men board the railroad train searching for Governor Chamberlain.....	579
Their insults to passengers, and threatening language.....	579
First, second, third, eighth, and twelfth Butler cavalry.....	580
Butler and Gary rode at the head of 1,600 cavalry at second Edgefield meeting	580
Had to stop the meeting until they rode around and away.....	580
Democrats always called a meeting at the same place and time republicans did.....	581
How republican speakers were interrupted; "You know you lie!" &c.....	581
A man attempted to shoot a republican speaker at Blackville.....	581
United States troops were sent down and quiet was restored.....	581
When republicans were largely in majority rifle-clubs did not appear.....	581

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The sheriff led the rifle-clubs at Marion; republicans refuse a joint meeting...	581-582
Republicans went to another place to hold their meeting.....	582
Democrats follow under the lead of the sheriff and break up the meeting....	582
Railway trains boarded by armed men and gentlemen insulted in presence of ladies.....	583-584
A railway company discharges a man who had been twenty-nine years in their employ because he voted republican ticket.....	584
Numbers of men have been discharged for a similar reason.....	584
Resolutions to similar effect were published in State, county, and city papers.	584-585
It was termed "preference not proscription".....	585
Would never have got away from Edgefield alive but for General Butler....	586
General Butler said: "We propose to go on election-day and run right over you".....	586
General Ferguson, advocating the Mississippi plan, said, "Take charge of the leaders!".....	586
General Gary's insulting language toward President Grant.....	586
The parading of uniformed and armed men in superior numbers is intimidation of the worst sort.....	587
Why the joint discussion failed; democrats wanted to name all of the appointments.....	587-588
Cross-examination on the subject of carrying arms at meetings.....	588
When witness spoke he spoke with a pistol in his pocket and his hand on it..	588
Cross-examination on the subject of loyalty.....	589
General Ferguson explains the Mississippi plan at length, in the presence of General Hampton, August 16, 1876.....	590
General Hampton did not protest against it; it was a democratic ratification meeting.....	590-591
Why the republicans refrained from collisions with the democrats.....	591
Why republicans avoided joint discussion; Butler said "Keep quiet;" Gary said "Go on.".....	591
A white man had a Winchester rifle pointed at Governor Chamberlain's back three times.....	591
Cross-examination on democratic desire to avoid collisions.....	592-593

LEROY F. YOUMANS, (RECALLED.)

The general reputation of Judge Cooke is good.....	594
Has never lived in the same town with him.....	595

J. G. BLUE—MARION COUNTY.

Personal record, (age, residence; is a lawyer and a democrat).....	595
Was a candidate for legislature; no intimidation in the canvass.....	595
About 400 negroes voted the democratic ticket.....	595
Never used threats or violence to colored men; does not know that any one did.....	596
The grand effort in our State was for Hampton.....	596
Crawford's reputation is bad; saw him come into town with an armed band..	596
Saw a young man with the sheriff who had been shot through the shoulder..	597
Hayne said the negroes were better armed than the whites.....	598
He did not want to have any difficulty; said Crawford had gone.....	598
Has seen Berry drunk frequently since he was sheriff.....	598
Cannot tell who he has heard speak of Crawford's reputation.....	599

WILLIAM G. HINNENT—FAIRFIELD COUNTY.

Personal record, (age, residence, &c.).....	599
A large number of negroes marched up, armed with ax-helves and sticks.....	599
A radical negro threatened to kill a democratic negro; locked the latter up to save him.....	600
Women made their husbands vote the radical ticket.....	600
Mrs. Marshall died of disease; Marshall was never proscribed; he is a bankrupt.....	600-601
Was lieutenant of a rifle-club; sent for forty breech-loading Enfield rifles....	601
Formed the club after hearing of the riots in Charleston.....	601-602

WILLIAM NELSON—AIKEN COUNTY.

Personal record, (residence, age, &c.).....	602-607
Was constable in Hamburg; was at Rivers's office the day of the trial.....	602-603
General Butler orders witness to go for Rivers; he refuses to go.....	603

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Butler's threatening and profane language; Robert Butler, Chaffee, Getzen, and Tom Butler draw guns and pistols on witness.....	603
Rivers opens court; witness calls Dock Adams and others; they do not come.....	603
In an hour saw the armed white men assemble in the streets.....	603
Names of armed white men who were present.....	604
Witness told Rivers he was going to leave; went to the drill-room for protection.....	604
Went on top of the drill-room; saw the first shot fired; it was from the river bank.....	604
Fifteen or twenty shots was fired before return was made.....	604
Dock Adams said they had gone for a cannon; escaped with Parks.....	604
Jumped over into Davis's yard; Robert Butler said, "There goes a God damn nigger".....	604
Parks was killed in Davis's yard; "God damn him, I got him".....	604
Witness escapes; John Parker shot through the back, but not killed.....	604-605
Saw six bodies next day; recognized Butler by his voice.....	605
The moon shone bright as day; would have liked it dark.....	605
Had no gun on the roof; had his pistol; men up there did not belong to the company.....	605
Dock Adams's reputation is tolerably good.....	606
He is a number one mechanic; worked when he could get work.....	607

ANDREW J. GRIFFIN—AIKEN COUNTY.

Personal record, (age, residence, &c.).....	607
Was in Hamburg July 8; house is on Scholt's Hill.....	608
Saw so many men going into town, went down to see what was the matter...	608
Saw armed men before Rivers's office; names some of them.....	608
Going from Rivers's office saw a large body of mounted men.....	608
"Sam, we are going to make it God damned hot here in Hamburg to-day".....	608
Tries to go home; finds roads picketed; turns back; hears a shot fired.....	608-609
Stays in Spencer's all night; men went into Spencer's house and demanded money.....	609
Harrison Butler's threats two weeks before the massacre.....	609
Went to the drill-room because it was the safest place.....	610
Since the massacre, whites say Dock Adams is a mighty bad man.....	610
Never heard colored people say anything disrespectful of him.....	610
Never heard the whites say anything about him before the massacre.....	610-611

FRANK ROBINSON—AIKEN COUNTY.

Personal record, (residence, age, &c.).....	611
Was a corporal in the Hamburg Company; had been a member three months.....	611
Saw the Butlers, armed, come in and go to Rivers's office.....	611
Saw the whites assemble in the town; went to the drill-room for safety.....	611
Witness worked in a store; whites came in to buy ammunition.....	612
Saw the first shot fired; it was from the abutment of the bridge.....	612
Left the armory with the rest; is at last taken prisoner and carried to General Butler.....	612
Is sent under guard by Butler to identify body; it was Jim Cook's.....	612-613
Is taken back to Butler; "Don't kill him, but take him over there and keep him till I call for him".....	613
Ten or fifteen men on the roof; four or five fired; don't know who fired.....	613
Of the thirty-eight in the drill-room, six were men; the rest were boys, like witness.....	614

SPENCER HARRIS—AIKEN COUNTY.

Personal record, (residence, age, &c.).....	614
Came into Hamburg at 6 p. m.; saw a multitude of armed men.....	614
Saw the Butlers and Getzen; went to the drill-room for safety.....	615
The first shot fired was from the abutment of the bridge.....	615
The whites fired for half an hour before the fire was returned.....	615
Escaped from the drill-room and hid under his house.....	615
Is searched for and found; taken to the dead ring.....	615
"We have got orders now from General Butler; the first man we take is Attaway".....	616

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Attaway was killed; Phillips taken out and killed; witness is saved by a white man.....	616
Reputation of Adams, Moore, Picksley, and Schiller.....	616-618
Thinks there were about thirty guns in the building.....	618
Witness had a shot-gun; did not fire it that night.....	619

J. C. CANNON—EDGEFIELD COUNTY.

Personal record, (residence, &c.).....	619
Was deputy marshal; tells how the election was conducted at Shaw's.....	620
Morgan threatens witness; has been turned off of his place since election....	621
Dr. Hudson threatened his life before election.....	621
Cannot get a home anywhere; white men voted without being sworn.....	621-623

JOHN MARTINBOROUGH—EDGEFIELD COUNTY.

Personal record, (residence, &c.).....	623
Was manager at box No. 2, Edgefield; polls to be held at the school-house....	623
Democratic manager attempted to take the box; drew a pistol and abused witness.....	623
Three hundred whites march to the polls and camp the night before election....	624
Threatening and abusive conduct of the whites; they vote first and then stop the way to the polls.....	624-625
How repeating was done; thinks 175 white men repeated.....	625
Witness is repeatedly threatened; saw white men obstruct the polls and beat voters.....	625-626
Old men of eighty were asked if they were twenty-one, or "Damn you, you have voted before".....	626
Regular tickets were taken from voters who could not read and bogus ones given instead.....	626
Thinks nine hundred colored men did not vote.....	626
After election there were many men drunk, cursing and abusing and firing guns.....	626
Witness is offered money to throw out radical votes.....	627
The treatment of the blacks since the election.....	627
Cross-examined as to the rate of voting per minute.....	627-629
Saw whites change coats and hats and then repeat.....	629
Names of repeaters; witness objected to repeating, but they just voted.....	629-630

PARIS SIMPKINS—EDGEFIELD COUNTY.

Personal record, (age, residence, &c.).....	631
Intended to canvass the county; would have done so if it had been safe.....	631
Gives a history of the Edgefield meeting, at which Gary and Butler abused Governor Chamberlain.....	632-633
Twelve to fifteen hundred mounted democrats were present at that meeting..	633
There was a quiet meeting at the court-house after the soldiers came.....	633
History of that meeting; rifle-clubs attend a republican convention; the men were armed.....	633-635
The rifle-clubs gathered in Edgefield the night before the election.....	635
Both polls are obstructed by mounted men; saw men who had been beaten..	635
Did not vote; reputation of Dunlap, Graham, Williams, Judge Bowie, Jones, and Harris.....	636-637

ELISHA B. HARRIS—EDGEFIELD COUNTY.

Personal record, (residence, age, county commissioner).....	637
Lived midway between the two polls; saw men who had been beaten.....	637-638
Horsemen obstruct the polls; republicans prevented from voting at either box.	638
"Damned niggers can't vote here; this box is for the white men".....	638
Riotous conduct of rifle-clubs during the night before election.....	638-639
The same thing kept up through the day.....	639
There were armed men in town the day the returns were canvassed.....	639
The character of Jones, Judge Bowie, Williams, Graham, and others.....	640-641

HAMPTON FLETCHER—LAURENS COUNTY.

Personal record, (residence, age, is a blacksmith and a democrat).....	641
Joined a democratic club, and voted that ticket; no one compelled him.....	641-642

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Had always been a radical; went out to mass-meetings	642
Saw no intimidation; both parties were active	642
Saw both white and black companies in the roads	643
Saw both whites and blacks around; neither ever drew a pistol	643

STEPHEN NESBITT—LAURENS COUNTY.

Personal record, (residence, age, is a farmer and a democrat)	644
Belongs to a democratic club; voted their ticket; Sambo Burt called him vile names	644-645
Thinks 400 or 500 colored democrats voted at Clinton	645
They have threatened to turn witness out of church	645
Is a democrat because the men who have land are democrats	645
Is abused at church; have begun to speak to him	646

JOHN B. HUBBARD—RICHLAND COUNTY.

Personal record, (residence, &c.; is a special United States detective)	646
Went to Hamburg and to Ellenton officially	647
Saw rifle-clubs and armed men all over the State	647
Was at Laurens on election-day; democrats commenced arresting negroes for repeating	648
Great numbers of negroes left in consequence; threats by the red-shirt men ..	648
In every township there is a rifle-club thoroughly organized and equipped ...	648
Troops were there, and the election was very quiet	649

W. P. OWENS—LAURENS COUNTY.

Personal record, (residence, &c.)	649
Was county chairman and commissioner of election	649-650
Did not canvass the county because it was not safe	650
Was with United States soldiers election-day; was escorted to the polls by officials and friends	650
Did not canvass the returns; it was not safe to stay	650
Went to Columbia after election under protection of a guard	650-651

JAMES KENNEDY RECALLED.

Examined in relation to papers of Dock Adams's Company	651
Explain how commissions are issued, and also arms and ammunition	651-653

ELLIS THOMPSON—LAURENS COUNTY.

Personal record, (residence; is a trial-justice)	654
Heard of no intimidation; saw no red-shirts; saw no violence	654

J. A. BARKSDALE—LAURENS COUNTY.

Personal record, (age, residence; is a physician and a democrat)	654
Was manager of election at Laurens Court-House; could see what occurred around the polls	655
No intimidation or obstruction at the polls; all voted	655
Every man on witness's place voted republican ticket; told them to vote as they wished	655
Witness explains the great increase in the democratic majority; many negroes voted that ticket	656-657
The reputation of Hunter and Franks is bad; heard Holmes speak of Hunter within ten days, but no others	657-658

PRINCE GLEN—LAURENS COUNTY.

Personal record, (residence, age, &c.)	658
Heard democrats say, "If you vote the republican ticket you will be turned out"	658-659
Republican voters arrested on charge of being minors, and placed in jail.	659

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Others on charge of voting twice; many went away without voting	659
Red-shirt men surrounded the polls; cursing and threatening	659
A heap of the republicans was scared to go; witness's brother was shot before election	659-660
The reputations of Rice, Dunlap, Stewart, Rutherford, and Hunter are all good	660-661
Nothing against them until lately; brother was shot because he was a republican	662-663

PERRY MERREDITH—LAURENS COUNTY.

Personal record, (age, residence, &c.)	663
A crowd of whites come to his father's house in the night; they beat the door down	663-664
Witness fired one shot at the men and escaped; was fired on and twice wounded	664
Name of men who came to the house; had to leave the county afterward	664-665
Knows men who have been turned off their land since election	665
The reputations of Rice, Stewart, Dunlap, Rutherford, and Hunter are good ..	665-666
No charges ever made against Miles Merredith or witness	666
Examined as to his statements to Dr. Cox after he was shot	667
Had no such talk with Dr. Cox; told him he knew the men; did not name them	667-668

T. J. MACKEY—CHESTER COUNTY.

Personal record, (age, residence, &c.)	668
Is judge of the sixth judicial district; grand jury reported in October that armed insurrections nowhere existed	668-669
The rights of a white man are as safe with a negro as with a white jury	669
Watched over his own counties; checked everything tending to violate public peace	669
Only case of ejection came to his knowledge; a Hampton negro was ejected from a republican saloon	669-670
Committee discusses the question of proper evidence	670-671
Saw Governor Chamberlain in a railway-car, September 19	671-672
Told him of the riot; asked him to return to Columbia and take measures to restore peace	672
Governor Chamberlain answered that he thought he could do no good, and continued his journey	672
Governor Chamberlain was treated with gross rudeness and disrespect at Edgefield	673
Witness gives his history and opinion of the Edgefield meeting	673-674
Governor Chamberlain was treated with respect at Lancaster, Chester, and Rock Hill	674-675
Elliott's attack on Chamberlain in convention; Chamberlain's reply	675-676
Chamberlain's unfriendly feeling toward Elliott	676-677
Witness's version of the affair with Deputy-Marshal Canton on election-day ..	677-679
A. S. Richardson "is a notorious thief and jail-bird, a drunkard,"	679
General Hampton's policy in the canvass was peace; White's policy was to feed the negroes at barbecues	679-680
Not a case of arson in his district in five years	681
Has warned planters in his district not to discharge republicans	682
Witness explains how, after advocating Hayes and Hampton, he voted for Tilden and Hampton	683-684

GEORGE W. HOLLAND, (RECALLED.)

The reputations of Graham, Williams, Judge Bowie, Jones, and Harris are good	684
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TANDY GLOVER—EDGEFIELD COUNTY.

Was at Edgefield, box No. 2, election-day; "got struck on the head,"	684-685
"When I came to, the people told me John Swearingen did it,"	685

CALVIN HARPER—LAURENS COUNTY.

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Personal record, (residence, age, &c.; is a colored democrat).....	685
Was at Laurens; voted the democratic ticket; had a pretty fair election.....	685
No trouble at all; canvassed a portion of the county.....	685-686
Saw no intimidation on either side; belonged to a democratic club.....	686
Thinks that 400 or 500 colored men voted the democratic ticket.....	686

JAMES W. RICE, (RECALLED.)

Thinks he made two mistakes in giving names; corrects them.....	687
Witness's money-accounts are all right; is not a defaulter in any respect.....	687





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